

# **A Study on Conflict Resolution workshops in Western Cape prisons**

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## **1. ABSTRACT**

This paper is a study on conflict resolution workshops in Western Cape prisons. Internationally, there has been much focus on conflict resolution workshops targeting prison inmates. The prison context is seen as an ultra-violent and dangerous one, and part of the focus of the workshops is to reduce the violence within the prisons. Another objective is, in effect, to reduce the violence outside of prisons, by decreasing the recidivism (re-offending) rates of offenders. Many of these workshops are run by outside facilitators, with a focus on the personal growth of the participants. In South Africa, conflict resolution workshops have taken hold only more recently. This is partly in response to a current desire for “Restorative Justice” (part of which involves the rehabilitation and reintegration of the offender), and partly as a possible answer to the high crime rates which presently exist in South Africa. The high rates of inter-personal violence in South Africa could also be targeted through workshops of this kind. The focus of this research is on a number of conflict resolution workshops run by non-governmental organisations locally. It is an evaluation of the form, content and impact of certain specific interventions, and concludes with the formulation of a set of recommendations for future interventions of this nature. The research was conducted qualitatively. I carried out ten semi-structured interviews with past participants and current facilitators of a series of workshops, and I participated in a three-day workshop in a prison. I also conducted a literature review, looking at the development of conflict resolution programmes internationally.

## **2. INTRODUCTION**

This research paper will be looking at a range of conflict resolution interventions in Western Cape prisons, run by a number of South African non-governmental organisations (NGOs). It will begin with a general overview of conflict resolution workshops within prisons based on a review of international literature. This discussion will identify both the objectives behind the workshops, and the methods used to implement these objectives. It will then take a closer look at these workshops in the South African context. While doing this, this research paper will outline some of the successes and some of the shortcomings of these workshops. It will also make a number of recommendations regarding possible developments of the workshops for use in South Africa.

South Africa as a country has very high crime rates, including high levels of interpersonal violence. This has long been considered a major political and social issue. Along with this, the conditions within South African prisons have steadily deteriorated in the post-1994 era. The reasons for such deterioration are multiple. Currently prisons are overcrowded, the facilities are poor, and recidivism rates are high. The Department of Correctional Services (DCS), despite its many promises on paper, seems to make little headway with regards to the rehabilitation of offenders, and rather seems to focus on ensuring safe incarceration. Thus, some part of the prison process is clearly not fulfilling its desired function, which is the correction of the offending behaviour.

Conflict resolution workshops aim to intervene during this process to aid in the rehabilitation of offenders.

First and foremost, what must be kept in mind is that the prison context is not an easy one within which to attempt rehabilitation. The prisons are overcrowded, meaning that the cells often sleep up to 80 men. The levels of interpersonal violence are high, from both warders and inmates, and sexual violence is rife. The South African prison gangs (known as “The Numbers gangs” – the 26s, 27s and 28s) pose added difficulties when attempting rehabilitation work in prisons. All of these factors mean that conflict prevention workshops aimed at the prison context confront considerable challenges.

Another factor which needs to be taken into account is that of the specifically South African context. South Africa has many socio-economic and political problems. Some of these arise from its past of racial segregation and violence, and some do not. However, I will only deal with those issues that directly influence rehabilitation work in prisons. The main issue is the lack of lawful employment that is available within South Africa at present. Roughly 40% of the adult population is unemployed. Faced with this lack of lawful possibilities, many turn to unlawful options, especially if there is a need to feed oneself and one's family. The fact that the crime levels in South Africa are so high has also led to the perception that crime does pay. The likelihood of being captured and prosecuted is also quite low, meaning that for many people, crime is a very viable option. Also, for many people, housing and facilities are not easily available. Many people live in shacks, and do not have access to water or electricity. Therefore prison (with its four walls, ceiling, bed and three meals a day) can seem an attractive option. These socio-economic difficulties mean that, once released, ex-inmates battle to find lawful employment, and their living standards may well decrease. All of this means that crime remains a good option for many ex-inmates, and the likelihood of them re-offending is high.

Along with this, the social conditions arising in the communities create added difficulties. In many instances, the stigma of having been in prison means that many ex-inmates are not welcome in their old communities. Their families and friends often do not want them back. Apart from this, for many ex-inmates, their old communities may also have been violent ones. Thus once released, it is much easier to get back into a cycle of violence.

Prison workshops are notoriously difficult to run, considering all the factors involved in the process. However, it is even more difficult for a workshop to be run well, and to achieve its stated aims. Many NGOs come in and do intensive work for a short period of time and then leave, and this can be as damaging as never running any workshops at all. Thus, the possible negative impact of well-intentioned workshops on participants must be carefully thought through before the workshops are implemented. These workshops therefore need to be evaluated to ensure that they are delivering what they are promising

to deliver, and that they are going about this in the best possible manner. This research project hopes to make some evaluative contribution.

The issue of restorative justice as a possible alternative to the current correctional process will also briefly be looked at in this paper. Restorative Justice (RJ) has become something of a fashionable concept in South Africa. However, as it has yet to be fully implemented, it is difficult to envisage exactly what it will entail, or what the results of its implementation will be. Despite this, it has been mentioned in the DCS *White Paper on Corrections*.<sup>1</sup> Thus, the paper will also take a brief look at the workshops within the context of restorative justice, and will assess their possibilities for contribution to the restorative justice process.

It is with this South African prison context in mind that this paper will attempt to undertake a form of evaluation of the conflict resolution workshops being run. Although the context obviously impacts heavily on the possibilities for success or failure of the workshops, the actual content and the form of the workshops play as large a role. All of this will be discussed in the findings section. The paper also includes a section dealing specifically with the Quaker Peace Centre intervention, for reasons to be discussed.

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<sup>1</sup> DCS *White Paper on Corrections in South Africa* 2005.

### **3. LITERATURE REVIEW AND THEORETICAL FRAMEWORK**

*“Although incarceration removes the individual from the community environment into the correctional environment, it does not necessarily alter the individual’s behaviour, or prevent future violent activity.”<sup>2</sup>*

*“The prison setting itself promotes a climate of mistrust and skepticism sufficient to affect participants’ personality profiles”<sup>3</sup>*

These quotes effectively sum up the need for, and main reason behind, conflict resolution workshops in a prison setting. There has been a growing realisation in many spheres that incarceration alone cannot solve the crime “problem”, and can in fact worsen it. High crime rates have become a normal and accepted social fact in many contemporary western societies<sup>4</sup>, and violence within prisons is also seen to be very common.<sup>5</sup> The recidivism rates of ex-inmates are also very high in many countries and areas (even up to 80%, which has been reported in South Africa<sup>6</sup>). Interpersonal violence (e.g. Murder, rape, robbery, assault) is perhaps the most disturbing aspect of many of these high crime rates.

Thus, clearly there is a need for *something* to be done as a response to all of this. Conflict resolution workshops provide one possible (although limited) solution. However, I will first look at some of the theories of conflict itself, before looking at how conflict resolution workshops attempt to respond to it.

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<sup>2</sup> C Walrath ‘Evaluation of an Inmate-run AVP – The impact of Inmate-to-Inmate intervention’ (2001) 16 *Journal of Interpersonal Violence* 697 at 698 [at [www.avpusa.org/ftp/walrath\\_AVP.pdf](http://www.avpusa.org/ftp/walrath_AVP.pdf) - accessed 03.10.2005].

<sup>3</sup> R J ‘Miller Effects of a prison-based program for reducing violence’ (1996) 3 *Psychiatry, Psychology and Law* 153.

<sup>4</sup> D Garland ‘The limits of the sovereign state: strategies of crime control in contemporary society’ (1996) 36 *British Journal of Criminology* 445.

<sup>5</sup> Walrath (note 2).

<sup>6</sup> *Independent evaluation of Khulisa’s diversion/rehabilitation/reintegration programme* by Orange Free State University, April 2004 [at [www.khulisaservices.co.za/pdf/diversion.pdf](http://www.khulisaservices.co.za/pdf/diversion.pdf) - accessed 10.10.2005].



### 3.1 Conflict and conflict resolution

In correctional sociological approaches, human conflict is considered to be a cultural phenomenon.<sup>7</sup> In other words, different cultures have different views of violence, and also different ways of finding solutions to it. Thus, some cultures encourage violence and aggression, and others do not. For example, in a number cultures or countries (including South Africa) violence can have a lot to do with a person's (especially a man's) identity. Many men are taught from a young age that, in order to be a man, they need to be seen to be violent. This will be discussed in greater detail in the section on the findings, but for now it will be sufficient to quote a past Alternatives to Violence Project (AVP) participant. When learning alternatives to violence, he was forced to "...re-evaluate what it is to be a man."<sup>8</sup>

If one accepts that conflict is a cultural phenomenon, then a possibility in teaching alternatives to violence is to teach a person new forms of conflict resolution which exist outside of their own culture. According to Fry and Fry<sup>9</sup>, there are four main steps in teaching conflict resolution. (Fry and Fry focused mainly on conflict in greater society, but their suggestions can also be applied in the prison situation).

Firstly, there needs to be a revision of the concept that human beings are inherently violent and animalistic, and that aggression is therefore part of their nature. Conflict is not a "natural" choice, but one which can be overturned. The second part to this is that there also needs to be revision of the concept that social institutions are inflexible, and will only ever be supportive of violence and aggression. If people hold these views, they will be unable to look for solutions to the conflict, and will rather show aggression as their first option.

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<sup>7</sup> D P Fry & C B Fry 'Culture and Conflict Resolution Models: Exploring Alternatives to Violence' in D P Fry & K Bjorkqvist *Cultural variations in conflict resolution* (Lawrence Erlbaum Associates Publishers: NJ, 1997) p. 9-25.

<sup>8</sup> M L Miller & J A Shuford *The AVP in Delaware: A three-year Cumulative Recidivism Study September 2005* (at [www.avpusa.org/ftp/recidivismreport.pdf](http://www.avpusa.org/ftp/recidivismreport.pdf) - accessed 03.10.2005) p. 4.

<sup>9</sup> Ibid.

The second step is a process of socialisation and social learning within cultures, where people will be taught to reduce violence. This process would be based on modeling, imitation, reinforcement, punishment, cognition and reflection. The main idea would be to introduce other options beyond instantly resorting to violence. Thirdly, there would need to be a creation of new institutions which do not encourage violence and aggression, but rather focus on alternative solutions to conflict. This could also include the redesigning of old institutions to no longer accept or encourage violence. Finally (and rather optimistically) Fry and Fry suggest that there is a need to create a new world view, or belief system, within a culture. This is quite similar to the idea of creating new institutions.

What also needs to be pointed out is that conflict need not be synonymous with aggression.<sup>10</sup> Although conflict often does lead to aggression, conflict itself is not the problem. It is when conflict leads to violence that a problem arises. Also, in many cases violence arises from conflict because the participants do not know another way to respond.<sup>11</sup> Because the participants have only ever seen, or been shown, a violent response to conflict or confrontation, they do not know how to respond non-violently.

### 3.2 Objectives of conflict resolution

How then does one attempt to respond to all of this in the form of conflict resolution workshops? These workshops seem to have a large range of aims, including reduction of recidivism<sup>12</sup>, decreasing violence<sup>13</sup>, “empowering people to lead nonviolent lives”<sup>14</sup>, community building, and restorative justice.<sup>15</sup> On a more individual level, the

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<sup>10</sup> Fry & Fry (note 7).

<sup>11</sup> Walrath (note 2).

<sup>12</sup> Miller & Shuford (note 8).; K Howells & A Day ‘The Rehabilitation of Offenders: International perspectives applied to Australian Correctional Systems’ (1999) *Trends and issues in crime and criminal justice series* [published by the Australian Institute of Criminology].

<sup>13</sup> Miller (note 3).

<sup>14</sup> AVP USA webpage - [www.avpusa.org](http://www.avpusa.org) [accessed 03.10.2005].

<sup>15</sup> G Tungay *Rites of Passage programmes as Diversion Programs (sic): The Comparative Experience of Hearts of Men and Usiko in an International Context* Final Year Research Assignment – Youth Justice (University of Cape Town, September 2004).

programmes aim to teach empathy for victims<sup>16</sup>, greater control over anger<sup>17</sup>, better interpersonal qualities and interactions<sup>18</sup>, and socialisation skills.<sup>19</sup>

### 3.3 Restorative Justice

Perhaps one aim which needs to be discussed slightly more fully before moving on is that of restorative justice. According to one writer, Restorative Justice (RJ) is a response to the growing acknowledgement that the Western justice system has limits and failures.<sup>20</sup> Most importantly, many victims, offenders and community members feel that the justice system does not adequately meet their needs. The main reason for this is the fact that a crime is seen by the criminal justice system as having been committed against the State, and not against the victim.<sup>21</sup> Thus, victims are marginalised throughout the criminal trial. At best, they can be a slightly glorified witness. Then, after sentencing, the offender is sent away to prison, to be removed from society. This is seen as his/her “punishment”. However, in many cases the victims do not feel justice has been done by this process, and the offenders only feel more marginalised from society themselves. What is also ignored is the fact that a large number of offenders have been victims themselves in the past. In many cases, this could have been part of the reason for their involvement in crime in the first place. Thus, a new system was needed which could address all of this.

RJ is a “process to involve, to the extent possible, those who have a stake in a specific offence and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible.”<sup>22</sup> Essentially, the aim is to involve the victim, the offender, and the families and communities of both. The main processes involve the offenders taking responsibility for their offence, and making some form of restitution to

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<sup>16</sup> N Eliasov *Evaluating the SAYStOP Diversion Programme: Findings from the third follow-up study, June-November 2003* (Institute of Criminology: University of Cape Town, March 2004).

<sup>17</sup> Miller (note 3).

<sup>18</sup> Ibid.

<sup>19</sup> Fry & Fry (note 7).

<sup>20</sup> H Zehr *The little book of Restorative Justice* (Good Books: Intercourse, PA, 2002).

<sup>21</sup> H Zehr ‘Retributive Justice’ in *Changing lenses – A new focus for crime and justice* (Herald Press: Scottdale, Pennsylvania, year unknown) chapter 5.

<sup>22</sup> Fry & Fry (note 7) at 37.

the victim. The families and communities are involved in order to facilitate reintegration (of both the offender and the victim) back into society. Part of this process seeks to rid the offender of the stigma of having spent time in jail. It also tries to look at the harm that may have been done to the offender him- or herself (e.g. Abuse as a child). For the victim, part of the process is trying to get rid of the stigma attached to victimization (e.g. a woman who has been raped is often seen as “damaged goods”). Finally, there is a recognition that the community has also been harmed by the crime, and it therefore needs to be involved in the RJ process (as well as to take responsibility for any harm done to the offender or victim by that community).

RJ has become somewhat fashionable in recent years in many countries, including South Africa. Almost all programmes involving prison inmates in South Africa are now required to conform to a RJ model. The DCS itself has made RJ a key priority<sup>23</sup>, at least on paper. A number of other countries (like New Zealand<sup>24</sup>) have also attempted to implement RJ, to a greater or lesser extent. However, what Zehr also points out is that offender treatment/rehabilitation (e.g. Conflict resolution) workshops do not officially qualify as RJ practice. Instead, they are a form of prevention and offender reintegration.<sup>25</sup> Thus, even though conflict resolution workshops can have RJ as one of their aims, they alone will not constitute RJ.

### 3.4 Conflict resolution implementation

So once all of these aims have been identified, the next question is how are they implemented within conflict resolution workshops? Again, the methods vary somewhat, but there are a number of similar procedures. In many workshops, the first step is a process of personal growth or affirmation. This is especially prevalent in the AVP workshops, but is also covered in the Centre for Conflict Resolution’s (CCR’s) “Creative and Constructive approaches to conflict” workshops. Effectively, this personal growth

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<sup>23</sup> J Sloth-Nielsen ‘Overview of Policy Developments in South African Correctional Services 1994-2002’ (2003) 1 *CSPRI Research Paper Series*.

<sup>24</sup> Zehr (note 20).

<sup>25</sup> Ibid.

encourages the participant to begin to develop respect for self.<sup>26</sup> It is hoped that, once this has been achieved, the participant will also begin to develop respect for others.

This respect is believed to lead to a greater empathy for others, and this is one of the next major processes involved in many conflict resolution workshops (especially those aimed at a prison population). Basically, the goal is victim empathy. This is included in almost all conflict resolution workshops (including AVP, the CCR workshops, and the South African Young Sex Offenders Programme - SAYStOP). The goal behind increasing victim empathy is to allow the offender to realise that there are consequences of his/her actions beyond incarceration. In other words, the victim's life will also be affected by the crime. This realisation will then hopefully cause the offender to consider the repercussions of his/her actions more carefully before acting. Along with victim empathy (and in line with RJ) is a process of encouraging offenders to take responsibility for their actions, and this is especially prevalent in the SAYStOP programme.

Another main goal is to teach the participants new skills in conflict resolution. The most important of these are communication and listening<sup>27</sup>, which are emphasised strongly in a number of workshops (especially AVP and the CCR workshops). The aim is to give the participants new skills to allow them to deal with conflict non-violently. Along with this, many workshops encourage debate around the stereotypes and myths which exist in the offender's culture. For example, in the SAYStOP sessions, there is discussion around the cultural notions of sexuality, gender and socialisation.<sup>28</sup> The aim is to allow the offenders to challenge the damaging stereotypes (e.g. "men are strong and can take sex when they want it"), so that they will not feel obliged to live by them.

The final most common aspect is a process of involving the offender's family or community in the workshops. This is found in almost all the workshops (SAYStOP, AVP, Usiko Rites of Passage, Khulisa's "Discovery" programme, and any RJ process).

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<sup>26</sup> Miller & Shuford (note 8).

<sup>27</sup> B Phillips *An evaluation of AVP workshops in Aotearoa/New Zealand* (AVPA Inc.: Wellington, New Zealand, 2002) [at [www.avpusa.org/ftp/AVPNZReport.pdf](http://www.avpusa.org/ftp/AVPNZReport.pdf) - accessed 31.10.2005].

<sup>28</sup> Eliasov (note 16).

The goal behind this is to encourage a process of reintegration of the offender back into his/her community. By bringing in the family and allowing them to see the change that the offender has undergone, the reintegration process will hopefully be strengthened and speeded up.

There are therefore a number of ways of attempting to implement conflict resolution workshops. These are the most common. Of course, there are a number of more specific processes, but unfortunately space is limited. I will therefore focus on those that occurred in the workshops I was able to study in greater depth.

### 3.5 Evaluation of conflict resolution workshops

The final question is whether or not these workshops are doing what they intend to do. Although I was able to find a number of evaluations of conflict resolution workshops aimed specifically at prisons, it does need to be noted that "...there is a relative dearth of published literature describing or evaluating conflict related interventions in an inmate population."<sup>29</sup> It is against this particular background of a dearth of truly substantive and/or critical evaluations that the discussion proceeds.

#### 3.5.1 International Development/Practices

I found a number of evaluations of AVP workshops, all based internationally. I was also able to obtain evaluations of two local workshops, which I will return to shortly. In a study of recidivism of past AVP participants in Delaware in the United States<sup>30</sup>, it was found that, for those who had participated in AVP courses while incarcerated, the recidivism rate for violent crimes after three years was roughly 11.5%. In the control group (a group who had completed a different Life Skills Program) the rate was roughly 56%. Thus, it would seem that AVP has a positive effect on recidivism rates. In a study

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<sup>29</sup> Walrath (note 2) at 699.

<sup>30</sup> Miller & Shuford (note 8).

of an inmate-run AV P programme<sup>31</sup>, it was found that the participants had lower expressed and experienced anger levels, and lower levels of confrontations. Finally, in a study of New Zealand AVP workshops, the participants reported an increased ability to resolve difficult issues, recognise others' viewpoints, perceive more choices, and take greater responsibility for their actions. However, what was also noted was that, although the responses from past inmates were good, the possible alternatives to violence are limited in prison. The study stated that "...responses show that the workshops pose a particularly difficult challenge for some participants. This appeared to be especially so...for those in the institutional environment of prison."<sup>32</sup> This will also be discussed in more detail in the findings section of this paper.

### 3.5.2 Local Experiments

Before I begin to look at the evaluations of the local workshops, perhaps something needs to be said about the specific South African context within which they are run. A large question, raised in all the literature, is whether or not these workshops can effectively be used in systems outside of the First World. Fry and Bjorkqvist caution against "attempting quick applications of dispute resolution techniques from one cultural setting to another".<sup>33</sup> Thus, the specifically South African setting does need to be taken into consideration when evaluating these workshops.

As a starting point, South Africa has a very high crime rate, and this has been attributed to a number of factors. According to the DCS<sup>34</sup>, these factors include the rapid political transition that South Africa underwent; material expectations not being met by the government (e.g. No jobs, houses or facilities); a culture of violence; the marginalisation of the youth; absence of appropriate role models for the youth; an absence of services to the victim; easy accessibility of firearms; and gender inequality.

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<sup>31</sup> Walrath (note 2).

<sup>32</sup> Phillips (note 27) at 31.

<sup>33</sup> K Bjorkqvist & D P Fry 'Conclusions: Alternatives to violence' in D P Fry & K.Bjorkqvist *Cultural variations in conflict resolution* (Lawrence Erlbaum Associates Publishers: NJ, 1997) p. 243-255.

<sup>34</sup> DCS *White Paper on Corrections* (note 1) at 47.

When one looks at the specific context of South African prisons, all of these above factors are compounded by a number of others. For example, South Africa's prisons are very overcrowded (some up to 300%<sup>35</sup>), which makes any efforts at rehabilitation difficult. Secondly, South African prisons (especially those in the Western Cape) are dominated by a number of very powerful prison gangs (the "Numbers" gangs) and violence, including sexual violence, is endemic in prison settings. Thirdly, the staff of the DCS is said to be corrupt<sup>36</sup>, and under-trained. Finally, South Africa has one of the highest rates of interpersonal violence in the world.

With all of this in mind, I will now look at the evaluations of the local conflict resolution workshops. When looking at the SAYStOP evaluations<sup>37</sup> (SAYStOP is a diversion programme for young sex offenders), the study found that the workshops were successful in reducing recidivism, encouraging participants to take responsibility for their crimes, encouraging appreciation of the consequences of the crime, and better communication. However, they were less successful in increasing victim empathy, challenging gender myths, and developing anger management skills. In the evaluation of the Khulisa interventions<sup>38</sup>, the study reported an 80% non-recidivism rate among past participants. However, the programme was seen as too elitist (it only took on those prisoners with a higher-than-average level of education, and with a clean prison violence record), many participants did not get a chance to complete the full training, and the DCS staff was not always committed to helping the programme to run effectively. It was also noted that the workshops needed support from other groups (including the State) to allow them to be run more effectively.

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<sup>35</sup> *Annual Report for the period 1 April 2003 to 31 March 2004* by the Inspecting Judge of Prisons, Judge Johannes Fagan [at <http://judicialinsp.pwv.gov.za/Annualreports/2004a.pdf> - accessed 02.11.2005].

<sup>36</sup> A. Dissel & S. Ellis 'Reform and Stasis: Transformation in South African prisons' (2002) 16 *Critique Internationale*.

<sup>37</sup> Eliasov (note 16).

<sup>38</sup> *Independent evaluation of Khulisa's Diversion/rehabilitation/reintegration programme* (note 6).



### 3.6 Conclusion

It would seem, therefore, that many of these conflict resolution workshops do have a number of benefits, and achieve at least some of their aims. There are, however, also a number of shortcomings to many of these projects. The amount of information available on conflict resolution workshops (especially those run in prisons) is very limited, and it was therefore difficult to give a more complete literature review. Clearly, conflict resolution workshops in a prison setting are no easy task. It is also apparent that many different groups attempt to run workshops, with varying degrees of success.

## **4. BACKGROUND TO THIS SPECIFIC STUDY**

### **4.1 History of the Quaker Peace Centre Intervention**

The initial concept for this research paper came as a response to a request by a local NGO to the Institute of Criminology at the University of Cape Town (UCT) for a post-graduate student to conduct an evaluation of a series of Alternatives to Violence Project (AVP) workshops. The Quaker Peace Centre (QPC) in Cape Town had run a series of these workshops (Beginner, Advanced, Train the Trainer) over a period of roughly one and a half months in the male maximum security section of Pollsmoor prison in October and November of 2004. The original aim, however, was to run the workshops in the juvenile section. A group involved in the Youth at Risk programme requested that the AVP workshops be run in the juvenile section to serve as a form of rehabilitation for youth in conflict with the law. However, for a number of reasons (including the high turnover rate of juveniles within prisons) these workshops did not take place.

A second group (known as Friends Against Abuse, or FAA) also made contact with the QPC. FAA is a group that was started in late 2000 by a group of warders and inmates in Pollsmoor prison. The group was started as a response to concern over the high levels of rape and sexual violence in the prison, and especially the rape of juveniles and newly-arrived inmates. The FAA aims to offer support to rape survivors in the prison, and to increase awareness of the problem, in the hopes that the levels of rape will then decrease. FAA has also become involved in HIV/AIDS awareness campaigns within the prisons.

The section-head of the maximum security section at Pollsmoor prison (a Mr. Chris Malgas) was also involved in the FAA. He already had connections with some staff at the QPC. In early 2004, Mr. Malgas made contact with the QPC, and requested that they come and do a series of conflict resolution workshops with some of the inmates involved in the FAA. All the inmates were in the maximum security section of Pollsmoor prison.

The 13 participants all completed the Beginner, Advanced and Train the Trainer workshops between the beginning of October, and middle of November 2004. One

inmate had to complete the last day of his Train the Trainer workshop at a later date, as he had been in hospital on the last official day.

At the beginning of the workshops (in October 2004), the 13 inmates were all moved to a cell in a medium security section by Mr. Malgas. There were a number of reasons for this. Firstly, it was felt that if all 13 of the participants were kept in one cell, the trust within the group would be greater, and therefore the effects of the workshops would be more profound. Secondly, it was thought that if the participants were kept separate from other inmates until the completion of their training, they would be better prepared to deal with violent conflict by the time they returned. Thirdly, it was for the protection of the participants. The prison gangs within Pollsmoor (the “Numbers” gangs) are known to be both violent, and in control of many sections of the prison. The control is exercised through violence, and it is not uncommon for an inmate or a warder to be stabbed for attempting to disrupt the gang's activities. Alternatives to Violence workshops at least held the potential of being seen as an attempted disruption. Thus, attending the workshops could well have placed some of the participants at risk of attack from gang members. It was therefore felt that they would be safer in a separate cell. Finally, having all 13 participants in one cell meant that it would be much easier (at an administrative level) to have all 13 present for each day of the workshops. The organisation in many of the prisons is said to be unreliable, and assembling 13 inmates on time for three days in a row is close to impossible.

However, about halfway through the Advanced course, there were a number of complications in the maximum section, which included stabbings, and a fire in which two inmates died. Mr. Malgas (as head of the section) was transferred to the juvenile section of Pollsmoor, and therefore was not able to have much more to do with the running of the AVP workshops.

Once he was transferred, the remaining warders moved the participants back to the maximum section, and split them up into their old cells. The running of the workshops became more troublesome logistically, as warders were often not available to unlock the gates for up to an hour at a time, and inmates were not let out of their cells on time.

However, all the levels of the workshop were completed, and a graduation ceremony was organised for the participants around the middle of December 2004. A request was made to the DCS by FAA, to keep all the 13 participants in Pollsmoor, to allow them to start facilitating workshops themselves. However, this was ignored, and all except three of the participants were transferred to other prisons. One participant was subsequently released. Four were moved to Brandvlei prison and three remain in Pollsmoor. There are a number of others in Drakenstein prison (the old Victor Verster) but the QPC is unsure of the numbers. It is not known where the remaining few are.

A brief evaluation of the workshops was run in Pollsmoor after all the transferals (in about April of 2005). The facilitators of the workshops went back into Pollsmoor and asked the remaining inmates to fill out evaluation forms regarding the workshops. The inmates at Brandvlei prison contacted the QPC after a number of months (in roughly July of 2005) and there are now plans to run AVP workshops in Brandvlei. These workshops will be facilitated in the main by the inmates themselves.

#### 4.2 Involvement of other local NGOs

The request came to the Criminology Institute in June 2005, and I was asked to take it up. The initial idea was for me to do an evaluation by interviewing all those involved (participants, facilitators, warders, and other inmates), in order to get an idea of the content, impact and sustainability of the workshop. QPC promised to provide background material and to provide access. It soon became apparent that not all of this was going to be possible (especially in terms of the prison interviews) and thus a more general approach was needed. I therefore began looking for other NGOs that were running conflict resolution workshops within prisons in some form or another. I ended up with four NGOs in total. Apart from the QPC, I also looked at Phaphama Initiatives (who were also running AVP workshops), Khulisa (“Discovery pre-release rehabilitation programme”), and the CCR (“Creative and constructive approaches to conflict”).

Phaphama Initiatives was established in 2002 as the result of a merger between the Transfer of African Language Knowledge (TALK) project, and AVP. TALK was

established in Johannesburg in 1990 to help promote the learning of African languages and culture. AVP was introduced into South Africa in 1995 by three AVP facilitators from the United Kingdom and New Zealand. Two members of TALK attended the workshops. In 2002, the two groups merged. Phaphama Initiatives focuses on assisting disadvantaged people and communities through growth and transformation. They also run a number of workshops within the prison context, with both inmates and staff, with the aim of transforming the “destructive culture”<sup>39</sup> of correctional facilities.

The Khulisa Crime Prevention Initiative has the reduction of crime as its main aim. It was founded in 1997, and its main focus is on youth at risk, and youth in conflict with the law. However, Khulisa has also implemented a number of community development programmes in disadvantaged areas. There are four main projects which Khulisa runs. The first attempts to empower out of school learners to participate meaningfully in the socio-economic development of their communities.<sup>40</sup> In other words, it provides job- and life-skills for youth who have finished school. Khulisa’s three remaining projects focus on prisons. The first is a diversion project for youth in conflict with the law; the second is a conflict resolution project for adult inmates; and the third is a post-release support project for ex-inmates. This support includes helping the ex-inmates to find lawful employment. Khulisa has RJ as one of its main focuses and aims.

The Centre for Conflict Resolution (CCR) was established in 1968. The initial focus was on students, with a view to encouraging dialogue between different race, language and gender groups. However, the organisation has since expanded, and now aims to “contribute towards a just peace in South Africa and Africa by promoting constructive, creative and co-operative approaches to the resolution and the reduction of violence”.<sup>41</sup> The CCR runs a number of conflict resolution programmes in prisons, with their main focus being on warders. The emphasis is on teaching conflict resolution skills, which will allow the participants to deal with conflict non-violently. However, some workshops are also run with inmates (specifically with juvenile inmates).

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<sup>39</sup> Phaphama Initiatives webpage – [www.phaphama.org.za](http://www.phaphama.org.za) [accessed 21.10.2005].

<sup>40</sup> Khulisa webpage – [www.khulisaservices.co.za](http://www.khulisaservices.co.za) [accessed 21.10.2005].

<sup>41</sup> CCR webpage – <http://ccrweb.ccr.uct.ac.za> [accessed 21.10.2005].

There were a number of reasons for deciding to expand my research to include Phaphama, Khulisa and the CCR. There were a number of internal difficulties being experienced by the QPC at this time, which played a part in the shaping of this research. They had undergone some financial problems, and had lost a number of their personnel, and were therefore somewhat under-staffed and under-funded. They were also involved in a court case, which seemed to take up quite a lot of the management's time and energy. At the time of this research, they were also organising evaluations of a number of their other projects, in order to decide which to continue running in the future. These difficulties meant that, despite their good intentions, they were unable to effectively and timeously organise the logistical arrangements required for this evaluation. Although this did lead to a broader and more general research paper (which is probably more appropriate), it also produced considerable frustration on my part, as I was wholly dependent on the QPC for access and most of my information.

I do need to add that the assistance from Phaphama Initiatives was invaluable. Although I was not officially “working” for them, they allowed me to participate in their workshops (which provided important first-hand experience) and helped me to organise two facilitator interviews. The combination of the information from QPC and Phaphama allowed me to get a much more “rounded” view of the AVP workshops than I would have been able to get from either group singly. In a way, this allowed me to develop a more comparative feel for AVP workshops.

The reason for the focus on AVP workshops above the other two was more of a practical choice than any other. Firstly, I had the most information on these two workshops, and also had promises of access to inmates involved in the workshops for interviewing purposes. Secondly, Khulisa is a Johannesburg-based organisation, meaning any interviews would have to be done over the phone. This also meant that there was no possibility of inmate interviews. CCR's workshops focus mainly on warders instead of prisoners (although there are prisoner workshops) so this was not entirely applicable. However, the information from both of these NGOs provided an interesting counter-point to the format of the AVP workshops.

Thus, although this paper is no longer solely about the Quaker Peace Centre and its workshops, I have included a section which involves a critical assessment of the project effectiveness of the QPC's intervention.

## **5. RESEARCH METHODOLOGY**

### **5.1 Introduction**

For this research, I conducted a number of semi-structured interviews (ten in total). I interviewed six participants of AVP workshops, and four facilitators. Four of the participants were maximum security inmates at Brandvlei prison in Worcester (all trained through QPC); one was a maximum security inmate at Pollsmoor prison in Tokai (also trained by QPC); and the last was a QPC employee who was trained in Pollsmoor but who was not an inmate. Two of the facilitators were from QPC; one was from Phaphama; and one was an ex-inmate who was released in June 2005. He is now living in Khayelitsha, and working part-time as a facilitator for Phaphama.

All interviews were between 30mins and 1hr15mins and were tape-recorded, with consent from the interviewee.

I also attended a three-day Beginner-level AVP workshop in Pollsmoor Medium B from 5-7 September 2005. The workshop was run by Phaphama Initiatives, and I joined at their invitation.

I had a half-hour discussion with a facilitator in charge of the CCR warder programme (Razaan Bailey), and another discussion with a facilitator in charge of their inmate programme (Stan Henkeman). I had mainly e-mail contact with the person in charge of the Khulisa project (Thabo Monyatsi), and he e-mailed me some of their presentations to the DCS. I also received a copy of an independent evaluation of their workshops, which was very useful.

### **5.2 Qualitative research**

For this paper, I chose to use qualitative research methods. Qualitative research “...values the subjective experience of participants, is concerned with meanings rather than frequencies of events, and recognises the complexity and contextual basis of



knowledge.”<sup>42</sup> In other words, the focus in qualitative research is not on finding an objective “truth”, but rather on the “internal reality of subjective experience”.<sup>43</sup> There is more recognition in qualitative research of the subjective experience of the research participant. There is also an acknowledgement that context plays a vital role. There are two ways in which this occurs. Firstly, it is necessary to have knowledge of the socio-historical and linguistic context from which the participant comes.<sup>44</sup> Secondly, one needs to acknowledge the context within which the research is taking place. The goal behind this is to realise the importance of language, power and ideology in knowledge production.<sup>45</sup>

There are a number of assumptions which underlie qualitative research.<sup>46</sup> The first is that qualitative research as a process is interpretive. There needs to be an interpretation of the information within the given contexts. Thus, there is no “right or wrong” answer, only experiences. Arising from this is the assumption that qualitative research is a process of discovery of how people make sense of their social worlds. Thirdly, many social realities exist due to varying human experience. Fourth, human behaviour is context-bound and variable. In other words, people in different contexts will probably respond differently to the same situation. Fifth, that common sense provides insight into social realities. And finally, that an understanding of social reality is achieved through rich contextual description.

Qualitative research also acknowledges that the researcher impacts on the information produced by the research process. In other words, the researcher tends not to be an objective outsider, but is often a subjective insider. Qualitative research therefore necessarily includes a process of reflexivity on the part of the researcher.<sup>47</sup> This means that there is a deliberate self-awareness by the researcher of his or her impact. This

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<sup>42</sup> A Strebel ‘Focus Groups in AIDS Research’ in *Journal of Community Health Sciences* (no date) p.59-69 at p. 59.

<sup>43</sup> M Terre Blanche & K Durrheim ‘Histories of the present: social science research in context’ in M Terre Blanche & K Durrheim (eds.) *Research in Practice* (University of Cape Town Press: Cape Town, 2002) chapter 1.

<sup>44</sup> M Terre Blanche & K Kelly ‘Interpretive methods’ in M Terre Blanche & K Durrheim (eds.) *Research in Practice* (University of Cape Town Press: Cape Town, 2002) chapter 7.

<sup>45</sup> Strebel (note 42).

<sup>46</sup> Terre Blanche & Kelly (note 44).

<sup>47</sup> Ibid.

impact can arise from a number of different areas, but often issues such as race, gender and language play important roles. There is also an awareness that both researcher and participant are participating in the research process, rather than either being able to be an external observer.

There were a number of reasons for my choice of qualitative research methods. On a practical level, there were too few participants to effectively use quantitative methods, which are generally more applicable to large numbers of participants. I also have more experience in qualitative research than in quantitative. The aim behind the research was also to gain some understanding of the experience of those involved in the workshops, rather than quantifying the process into numbers. Thus, qualitative research methods gave me a chance to hear about the participants' subjective experiences, and also allowed me a chance to become involved in some of these experiences myself, through my participation in the AVP workshop. Qualitative research methods also tend to be more appropriate when researching sensitive topics, as the face-to-face interaction can make the participants feel more at ease.<sup>48</sup> There is also more chance, in qualitative research, to gain an understanding of the context within which the workshops occurred, and also the context from which the participants came. This process of contextualisation provides valuable insight into some of the motives and reasons for the outcomes of the workshop experience. Obviously, I can only place my own understanding onto the information provided to me by the participants, but that understanding itself also becomes part of the research process.

### 5.3 Interviews

The decision to conduct interviews with all the respondents (instead of, for example, sending out survey forms, or conducting focus groups) was for a number of reasons. Firstly, the fact that the number of interviewees was fairly small meant that a one-on-one interview with each respondent was viable, in terms of time. Secondly, I wanted to get slightly more personal responses from the respondents, which was more likely with interviews than with surveys. With face to face interviews, I could ask more open-ended

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<sup>48</sup> Strebel (note 42).

questions and allow the respondents to answer more freely. The reason for the semi-structured format was also a means to allow the interview to flow more freely. The questions followed from each other, and I could cover each aspect without having to follow a rigid outline.

The decision to run individual interviews instead of focus groups was based partly on choice, and partly on availability. The AVP workshops involve a certain amount of personal growth which, for many of the participants, would probably be somewhat private. Although the prison participants I interviewed had all been in the same series of workshops (and therefore would have undergone personal growth together) I did not think that having to recount that personal growth in front of a group of other people was necessarily the best way of going about it. Secondly, there is the problem of people trying to “play to the group”. In other words, the participants will try to give answers that they think the other people in the group would like to hear. There is also the possibility of the group members influencing each other to answer in a specific way. As I wanted individual responses (rather than group responses), one-on-one interviews seemed more practical. The respondents would not feel obliged to say only good (or bad) things about the workshops because of the responses of their fellow group-members.

On a more practical level, the issue of security played a part in deciding on a research method. With regards to the inmate-participants, the logistics of attempting to run a focus group with four maximum security prisoners in one room at the same time were fairly troublesome. At Brandvlei prison, I interviewed four participants, and at Pollsmoor there were only three possible interviewees. It seemed that four (or three) participants were not enough to run an effective focus group, and therefore personal interviews were more appropriate. On a personal level, I was somewhat relieved by this (as the notion of sitting in a room with four male maximum security inmates was a little bit unnerving at first).

It turned out to be the better choice. Although I was able to see all four inmates at the Brandvlei prison, Pollsmoor was less successful. I was meant to interview three maximum security inmates. When we got there, I was informed that two of them had been transferred to a medium security section two days previously, and I could not see

them on the day. I could therefore interview only one participant. I was never able to interview the last two. The medium section they had been transferred to denied us access for a number of days, and then informed us that the warders in that section would be writing tests for two weeks, and I would only be admitted after that. Since the two weeks only ended on the 7<sup>th</sup> of October, and because I already had five other inmate interviews, I decided that I could afford to leave out these two, and hopefully not miss too much important information.

#### 5.4 Focus of interviews

Each interview revolved around the same questions, although the order differed in some instances. This was mainly because of the responses from the interviewees. Some interviewees focused on different aspects, and these were then looked at in more detail during the interview. Also, the focus differed slightly when interviewing the facilitators. When interviewing the inmates, I focused more on their personal impressions of the workshops, and which aspects had had the biggest impact on them. I also looked at the difficulties they may have encountered in attempting to use non-violence in the violent setting of a maximum security ward of a prison. We spoke about their concerns regarding the community's response when they would be released, and focused especially on their family in this regard. There was also some focus on the impact of the separation of the group on each of the participants. Finally, we looked at some of the aspects they felt could be improved in the running of the workshops, or in the workshops themselves.<sup>49</sup>

When interviewing the facilitators, the focus was slightly different. Although the facilitators had all attended and completed all the levels of the AVP workshops, I was less concerned about their own personal responses to the workshops, and more interested in the responses of the inmates involved. The questions revolved more around looking at the impact of the workshops on other people, and the focus was more objective. There questions were fairly similar, however. I asked the facilitators what they thought the attraction of AVP would be for inmates, and which parts seemed to have the most effect on the inmate participants. I again asked about the difficulties of inmates being able to

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<sup>49</sup> For a more detailed outline, see Appendix 1.

put these skills into practice in the prison setting, and also the potential difficulties for remaining non-violent once released into violent communities. The facilitators could generally give a better overview of some of the problems that inmates were likely to face on release, and some of the issues that would impact on their decision to not re-offend. I could also ask the facilitators about the workshops within the context of RJ. This also helped to gain some perspective about AVP workshops as part of “the bigger picture” of society. Finally, the facilitators were able to give a slightly different view on the seemingly unco-operative attitude of the warders within the prisons.<sup>50</sup>

### 5.5 Negotiating prison access – logistics and ethics

Negotiating the access to the prisons by myself was close on impossible. Phaphama offered to allow me to interview their participants and inmate-facilitators. However, they requested that I organise the prison access myself, through the section head of medium B in Pollsmoor, which was where they have been running all their workshops. Although both myself and my supervisor attempted to get in touch with him, we never received a reply, and I was therefore unable to conduct interviews with any Phaphama-trained inmates.

QPC, however, organised access for me as a part of their organisation. In other words, I was allowed in as a QPC member. Thus, I was allowed to interview the participants of their workshops, as long as two QPC staff-members accompanied me to the prison to help me gain access. The two staff-members did not sit in on the interviews, as I suspected this would bias the answers given by the inmates. I was aware that being introduced to the participants as a part of QPC would probably affect how they would respond to questions. I anticipated mostly positive answers, not necessarily because of a positive experience, but because the participants would be aware that what they said would get back to those who had trained them. In hindsight, the need for emphasising that the interviews would remain confidential was of added importance.

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<sup>50</sup> For a more detailed outline of facilitator questions, see Appendix 2.

In both Brandvlei and Pollsmoor prison, a prison warder sat in the next room with the door open. Although this was for obvious security reasons (a female sitting in a closed room with a male maximum security inmate does not sound like the most safe situation), I did wonder about the effect of this on the respondents. I am not sure how aware the respondents were of the warder sitting next door, and whether or not this then affected their willingness to be frank. I also wondered whether the warders had been informed that the interviews were supposed to be confidential and anonymous.

In this regard, I confess that I did not attempt to organise the access guidelines myself, but allowed them to be organised by the QPC. I did not inform the warders of the need for the interviews to remain confidential, and probably did not emphasise enough to the participants that the interview information would be confidential. In some ways, I did feel slightly pressured to simply accept whatever conditions I could, as organising access for myself, and on my own terms had already proved so difficult. I also left the organisation of all the access to the QPC. Although I did state to the QPC that the interviews were to be confidential, and that I would prefer if no one overheard, I was also informed that I would have to follow the prison's guidelines with regards to safety. Thus, in some ways the situation did become one of compromise.

In the Brandvlei interviews, the issue of confidentiality did cause something of a problem. When we first arrived at the prison, we were met by a number of the warders, but not by the section head (although the access had been negotiated through him). I was informed by the QPC staff that I would be allowed to tape-record my interviews, and none of the warders told me otherwise. However, the next morning I received a phone call from the section head. He told me that the warder posted outside the door had reported back to him about the content of the interviews, and he was unhappy about the negative comments some of the participants had made about the prison. I was also informed that I should not have been allowed to use a tape-recorder. I referred the matter to my supervisor, and to the QPC staff. Both phoned the section head, and assured him that nothing from the interviews would be published anywhere except in my dissertation, and that the tape-recordings would be destroyed once I had finished the research. Again in hindsight, this is something I should have clarified on arrival at the prison.

I did, however, worry about the possible repercussions of this for the inmates. The thought occurred to me that some of the warders would take offence at what had been said, and would “take it out” on the inmates whom I had interviewed. I was therefore worried about their physical safety. QPC assured me that they were going back to the prison the next week, and would do follow-ups to make sure no retaliation had occurred.

In effect, the main point from all of this is that the logistics of organising access into prisons is troublesome, and that it seems that compromise agreements need to be negotiated regarding safety and confidentiality. I do realise that in future, my organisation of the guidelines for interviews will need to be more proactive. However, as an experience, it has proved invaluable in terms of learning the general aspects which will need to be discussed when attempting research in the prison setting.

Despite all of this, in Pollsmoor I was fairly grateful for the presence of the warder next door. The room I was interviewing in was inside the male maximum security section. Because the interview took place during visiting hours, there were a number of inmates wandering up and down the corridors. Although I was not at all worried about the interviewee (who was responsive, polite and helpful), the idea of trying to find my own way out of a locked prison section if something did happen was quite scary.

In many ways, this points to the difficulties I had in trying to overcome some of the general ideas I had regarding prisoners and their intentions with regards to women. Although I could objectively realise that I was not in danger, and that merely assuming all prisoners to be violent was grossly stereotypical thinking, I was unable to completely reject these notions for myself. Thankfully, during my interviews and workshop I was pleasantly surprised time and again, and this helped to lessen the concerns I had when conducting face-to-face interviews. However, there were also a number of incidents which re-confirmed my fears. Thus, I managed to reach a not-entirely comfortable middle-ground.

## 5.6 Facilitator interviews

The facilitators I interviewed mainly in their offices (if these were available), at my house, and (in one creative instance) in a car. These interviews were generally longer than the prisoner interviews (where I was allowed a half hour with each inmate), and ran for roughly an hour each. They were all conducted in English. I asked the facilitators more about their perceptions of the effectiveness of the workshop for others, although there was some focus on how it affected them personally. I also asked about any difficulties encountered when attempting to run workshops in a prison setting, and especially conflict resolution workshops. A main difficulty arising here was that, when interviewing the QPC facilitators, it was known to them that I was conducting an evaluation for their employer which could affect whether or not they would be allowed to continue the workshops at a later date. Also, because of the fact that they had “run” the workshops, there was a possibility of “false-positive” answers to make themselves look good. Thus, I tried to avoid questions regarding the actual running and content of the workshops which could be seen to reflect on them personally. However, once again, this is where I should have been more proactive, and confirmed that the interviews would remain confidential.

## 5.7 Added constraints

There were two final difficulties which arose. The first issue was the language barrier. All the inmates I spoke to were first-language Afrikaans speakers. English was, at best, their second-language. Three of the facilitators were first-language Xhosa speakers, also with English as a second or third language. Although my Afrikaans is sufficient to be able to understand all the answers given to me, I was unable to word my questions effectively in my second language. The interviews were therefore all conducted in English, with many respondents answering in Afrikaans. Although we seemed to understand each other well, I do wonder what effect this bilingualism had on the interviews and responses. My Xhosa, however, is nonexistent, and those interviews were therefore conducted completely in English.



The final issue was that of my race and gender, especially in the prison setting. As a white female coming to interview coloured or African males, I was very aware of my “otherness”. In some cases, my age also seemed to play an issue, as many of the interviewees were in their 30s, and some even in their 50s. The issue of my gender, which was possibly also related to my race, seemed to manifest itself in two very different ways. On the one hand, some of the participants seemed to be trying to “protect” me in some ways, skirting questions on prison violence, and especially about their own violence (e.g. the reason for their incarceration). On the other hand, a number of the participants seemed to try and shock me, by telling me detailed stories about prison violence, about abuse they had suffered, about their prior crimes (one told me that killing people for him had been as easy as “wringing a chicken's neck”<sup>51</sup>) and about the crimes they committed to be imprisoned this time around. It was very present in my mind that they could well have been exaggerating, precisely to try and shock me. Although this did somewhat lessen the shock-value, some of it remained highly disturbing.

#### 5.8 AVP workshop

The AVP workshop I attended was also an interesting experience. Although I was there as a participant, in many ways it was more as a “participant observer”. I spent three mornings in Pollsmoor doing a Basic AVP workshop in a group of about 20. All the other participants were male inmates, with two serving as inmate-facilitators. There were also two male external facilitators. Again, my “outsider” status was apparent. As the only female, and one of only two white participants, I did feel somewhat out of place. I was also the only non-inmate participant. In a number of instances, one of the inmates would apologise to me for discussing something disturbing (prison attacks and stabbings, rapes, the murder they had committed to be there), as if such things should not be discussed around women. On the other hand, what was also interesting was that many of them responded very well to having an “outsider” in the group, as I could offer a very different viewpoint to the “prison perspective”. The external facilitator also mentioned that he found having non-inmates in the workshops to be very valuable, as it gave the inmates a different perspective on certain issues. What I also enjoyed was being able to discover

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<sup>51</sup> Interview 4, Inmate, Brandvlei prison, 13 September 2005.

common ground with many of the inmates, whether it be based on sport-watching, things we had done as children, or the fact that we liked reading. Personally, it helped me to keep in mind that prisoners are not “animals” who are completely different from “normal” people, and who need to be kept locked up away from decent society. For some of them, it seemed to be important to be kept up to date with what was happening outside of the prison, and I could play a role here by informing them, or giving them a newspaper. It possibly also served to remind some of them that there are people outside who have not forgotten them (one inmate found great joy in the fact that I shared my name with his daughter, and he could then feel some form of closeness to her, however remote).

This participant observation provided me with a personal experience of the workshops I was researching. Although I was somewhat strictly instructed to participate fully in the workshops as participant and not a researcher, it was interesting to observe and participate in all the exercises and activities.

## 5.9 Conclusion

Despite all the difficulties (of politics, access, and “otherness”), for the most part the respondents were open and willing to discuss what they had experienced. The interviews were, for me, very interesting, and the information gained was invaluable. However, I am aware that, because of all the difficulties outlined above, I may have received a very restricted version, and some topics may have been avoided precisely because of my “otherness”. I am also aware that my identity as a QPC “researcher” may also have influenced the information I was given. Thus, I kept this in mind during my analysis.

## **6. RESEARCH FINDINGS**

### **6.1 Introduction**

Conflict resolution interventions are difficult to implement in any situation. However, they can be especially difficult in the prison context. South Africa as a country also has its own added complexities to add to the process. This section will therefore look at some of the situational aspects which make the running of these workshops more difficult. It will begin with looking at the positive aspects of the workshops, and then go on to some of the shortcomings. The section will end with the discussion surrounding the specifically South African context. As almost all of my interviewees were male (I had only one female participant) I will use the male pronoun throughout.

### **6.2 Prison context**

What needs to be mentioned first is the fact that every past participant I interviewed (both inside and outside of prison) had mainly positive things to say about AVP workshops, and this is therefore where I will begin. In many respects, the Western Cape prisons I visited are not pleasant places. They are cold, dirty, overcrowded and dangerous. The health facilities are inadequate, inmates have to wake up at 5am to be able to shower, and they are forced to spend more than three-quarters of their day locked up in cells with an average of 60 other men. All of this is, by now, fairly common knowledge, and has been highlighted in a number of articles (for example, a Cape Argus article entitled '*Court fight looms to force state to tackle horrors of SA's jails*'<sup>52</sup>). It is therefore not necessary for me to go into a detailed description of the current state of prisons in South Africa. However, I will briefly outline some key aspects.

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<sup>52</sup> K Maughan 'Court fight looms to force state to tackle horrors of SA's jails' in *Cape Argus* (September 15, 2005).

Generally, South African prisons are very overcrowded.<sup>53</sup> There are a number of reasons for this, which include the new bail and sentencing laws. The result is that some prisons are currently up to 300% overcrowded. This means that cells meant for 20 men often sleep up to 80, and single cells sleep three. It has also been suggested that this overcrowding leads to prisons not being the “correctional facilities” they are aiming to be, but are rather becoming “universities of crime” where men simply learn more and better criminal techniques.<sup>54</sup> It also means that there are simply not enough staff to be able to implement the necessary rehabilitation programmes. Thus, inmates are effectively being “warehoused” until their release.<sup>55</sup>

The facilities inside the prison are also seriously lacking. There has been an increase in communicable diseases (for example, HIV/AIDS and TB), which is exacerbated by the poor health facilities. These are both only made worse by the large numbers of inmates within the prisons. Another major issue in South African prisons relates to the prison gangs, who are often violent, and control large parts of what happens within the prisons. There have also been numerous reports regarding the corruption of DCS staff.<sup>56</sup> It has been suggested that the DCS staff corruption has aided the growth of the prison gangs<sup>57</sup>, but this has not been verified. The process of rehabilitation in prisons has often been sidelined, with even the ex-Commissioner of Correctional Services (Khulekhane Sithole) describing prisoners as animals who should be thrown down mine shafts.<sup>58</sup> Thus, the difficulties relating to the prison context are many and varied.

### 6.3 Achievements

What is important to note is that, considering the conditions, being in prison is fairly demoralising and depressing. For example, an American study has provided evidence

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<sup>53</sup> Fagan report (note 35).

<sup>54</sup> Ibid. [p. 4].

<sup>55</sup> Sloth-Nielsen (note 23).

<sup>56</sup> Dissel & Ellis (note 36).

<sup>57</sup> Interview 8, Facilitator, UCT campus, 14 September 2005.

<sup>58</sup> Sloth-Nielsen (note 23).

that, after six months in prison, inmates have lower self-esteem than when they arrived.<sup>59</sup> When faced with this, perhaps any outside intervention would be a godsend for an inmate. It is a chance to be out of their cell for three hours a day, for three days in a week. They get an opportunity to interact with people outside of their cell (where they often spend up to 23 hours a day), and to be informed of happenings outside of the prison. They get free tea, coffee and biscuits. And, at the end of it all, they will all receive a certificate and a letter verifying their completion of the course, which is sent to the Parole Board. This letter often impacts favourably on their parole applications (more on this later). Thus, perhaps, in the prison situation prevailing at present, anything which can improve the quality of life of the inmates can only really be a positive thing.<sup>60</sup>

However, even to my cynical eye, the AVP workshops seem to offer something more than just a welcome distraction from the repetition of a prison lifestyle (as one inmate told me, in prison “...everyday is like the last. A whole week can go by and you won’t even notice, because everyday will be the same.”<sup>61</sup>) One factor which seemed to have the most profound impact on almost all the participants was what the AVP manual calls the “Safe Space” of AVP. Basically, the ideal is to create a space within each group where each member feels that they can say whatever it is they need to say, without being ridiculed and without fears of retribution. This safe space is created through an emphasis on two things: (i) respect for others in the group. This means that no participant may be laughed at, or ridiculed for sharing something important. This rule applies within the workshop, and once the workshops are complete. (ii) Confidentiality. Although the inmates are allowed to draw up their own set of rules for each workshop, the rule of confidentiality is almost always implemented. This means that no participant may disclose what the others have said during the workshops. Effectively, what happens in the workshops stays in the workshops.

What many of the inmate-interviewees stated was that this safe space meant that they were able to trust those within the group. And, for many of them, this was the first time

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<sup>59</sup> Walrath (note 2).

<sup>60</sup> With thanks to Jonny Steinberg.

<sup>61</sup> Inmate in AVP Beginner workshops, 5-7 September 2005.

they were able to trust another inmate in prison. Almost every inmate (in the interviews and in the workshop) spoke about how wary they needed to be in their cell, and how trusting others in prison was difficult. Thus, even though this was not necessarily a case of making “best friends”, it allowed them an important realisation: that trusting others (even in prison) is possible. There were also a number of exercises revolving around trust. For example in the “Blind Walk”, participants pair up. One member of the pair closes his eyes, and the other leads him around the room. They then swap roles. The emphasis is on the fact that you can trust other people to keep you safe.

The effects of this were quite apparent. At the beginning of my workshop, many of the participants were unwilling to talk about anything in front of others who might ridicule them. However, by the end they were able to talk about a number of more private things which they probably would not otherwise have been able to share. It also seemed to me that this trust allowed them to relax within the workshops. One inmate told me that, in prison, one “needs to look behind you all the time”.<sup>62</sup> Thus, perhaps the “safe space” of the workshops was not just emotional, but physical too.

The next important factor which came from this was that of caring and compassion. A number of the participants told me that, in the AVP workshops, they felt cared for and valued. Because of the trust, they grew to care about each other, and to feel cared for. Perhaps in some contexts this is not ground-breaking. However, what a number of the inmates also told me was that it was the first time that they had experienced this. For many of them, their families were not emotionally or physically demonstrative. In fact, I heard many stories of abuse (both physical and sexual) by parents and relatives. Although the details of this abuse are not important, the results of it are: many of these men grew up feeling uncared for, and unloved. Thus, this group was the first occasion that they could feel valued as they were. The effects of this were profound, even to me as an outside observer. Almost every inmate I spoke to mentioned this caring as the most powerful part of the workshops.

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<sup>62</sup> Interview 7, Inmate, Pollsmoor prison, 14 September 2005.

An interesting result of this was that, as they began to feel more valued themselves, so they began to value others more. Although I have no evidence to support this, my suggestion would be that, with increased value for others, their tendency to inflict violence on others would decrease. What some of the participants did mention was that, because they now had an experience of being cared for and loved, they would now be able to demonstrate caring and love more easily to others. A number of them mentioned children and family that they had become closer to since the completion of their workshops. Some got in touch with their family for the first time in a number of years. (One inmate saw his mother for the first time in six years at his graduation ceremony from the AVP course.<sup>63</sup>)

The growth of trust and caring allows for another positive spin-off: the creation of a support structure. The participants within the workshops often reported feeling a strong bond with their fellow participants. Because of the emotional connection they were able to establish during the workshop, they seem to want to “watch out for each other” in many ways. The place where this showed most strongly was when I interviewed the four inmates transferred to Brandvlei prison.<sup>64</sup> Three of them were sleeping in one section, and the fourth was sleeping in a separate section. However, all four of them talked about attempts to move the four of them into one cell, in order to be able to support each other more. The three who were sharing a section all voiced concerns about the fourth’s safety, as he was in a “gang section”, which was seen to be more dangerous. They also all spoke about helping each other out with conflicts within their own sections.

What is perhaps a fairly obvious factor is that the workshops give the participants a chance to learn new techniques of conflict resolution. As pointed out previously, many of the participants do not understand any other way to react to conflict and confrontation except violently.<sup>65</sup> The benefits of teaching them non-violent alternatives hardly need to be explained, but I will expand on two. Firstly, teaching them non-violent alternatives can be a tool for increasing their own personal safety. Being able to avoid violent situations

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<sup>63</sup> Interview 3, Inmate, Brandvlei prison, 13 September 2005.

<sup>64</sup> Brandvlei prison interviews, 13 September 2005.

<sup>65</sup> Miller & Shuford (note 8).

does imply that there is less danger of physical harm for the inmate. Although not everyone they encounter will also be attempting to use non-violence, it does give them opportunities to respond non-violently, and perhaps to avoid violence altogether.

Secondly, it could increase the physical safety of those that the participant comes into contact with. A number of inmates mentioned that they had abused their own family members in the past, and that they often used violence to resolve conflict (for a couple of them, this violence was the primary reason for their incarceration.<sup>66</sup>) Although it is unlikely that many of the ex-participants will never use violence again, it can only be a good thing for others if they are attempting to use non-violent alternatives.

In many cases the workshops seemed to prompt “reunions” with the participant’s families. This is perhaps a result of the combined effect of all the above-mentioned factors. With greater trust in others, and a greater feeling of self-worth, many of the participants felt more able to show caring for others (especially their families). And, as already mentioned, the use of non-violent alternatives to conflict can have many positive effects. Thus, many of the inmates were able to connect with their families properly for the first time. It also allowed them to create post-release support structures, to help them cope through what can be a difficult time.

For some of the inmates, doing a course involving outside facilitators allowed them a chance to make some important contacts. The outside facilitators could either put them in touch with people who could help the inmates after their release, or even get in touch with those people themselves. Basically, having an external contact is invaluable for those caught in the net of a closed system. In one example, an outside facilitator organised a funding contact for an ex-inmate facilitator. The funding contact then agreed to meet with the ex-inmate after his release, in order to discuss funding for a business he had in mind. A number of ex-inmate facilitators also go on to find work within the NGO that trained them in the first place. These contacts therefore afford the ex-inmates a chance to find legal employment after their release.

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<sup>66</sup> AVP Beginner workshop (note 61).



Apart from all of these, I was also told of a number of other less obvious benefits which the participants derived from the AVP workshops. One inmate told me that, prior to the AVP workshops, he had suffered from anxiety attacks up to 10 times a day.<sup>67</sup> However, after the workshops the anxiety attacks stopped altogether, and he was able to go off medication for the first time since his incarceration. A number of inmates also found religion in the AVP workshops. Although AVP does not promote any particular religious doctrine, it was founded by a Quaker movement, and therefore does have some religious connotations. For those inmates that did infer religion from the workshops, the new belief system gave them something new to focus their energy on.

As an interesting side-point, I did receive some enlightenment into the attraction of religion for those in prison. To begin with, one ex-inmate<sup>68</sup> informed me that, for him, the most powerful aspect of religion was being told for the first time that “God loves you”. He said that it was the first time he had ever known that somebody had loved him. It also gave him the belief that, if God loved him despite his criminal record, then other people would too. Another important aspect seems to be the support that many inmates discover through religion.<sup>69</sup> Many religious groups are run in prison, and in some ways these groups create mini-support structures for those involved in them. It also, in one case, seemed to provide a common ground between the inmate and some of the warders. However, this is mainly speculation, and merely provides an interesting insight into the “pull” of religion for inmates.

#### 6.4 Shortcomings

Although it is difficult to know how much of this to attribute to the workshops themselves, the benefits derived from it are important. Thus, there are a number of very powerful positive aspects which cannot be ignored. However, there are also a number of shortcomings, and I will deal with these now. It does need to be noted that a number of these shortcomings have as much to do with the specific South African context as with

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<sup>67</sup> Interview 4 (note 51).

<sup>68</sup> Interview 8 (note 57).

<sup>69</sup> Interview 7 (note 62).

the workshops themselves. Thus, perhaps the first shortcoming is therefore that the workshops have not been adapted to the local context. As noted above, Bjorkqvist & Fry<sup>70</sup> caution against attempting “quick applications of dispute resolution techniques from one cultural setting to another.” The AVP workshops were created in the United States, and were transferred more or less whole to a number of other countries (including South Africa). Thus, it seems that there has been little recognition of the different cultures within each of these different countries, which may require different approaches.

The next major issue to look at is that of the violence within the prison context. Prisons in general (and this includes South African prisons) tend to be very violent contexts. This can be attributed to a large number of factors, but I will not go into these here. In many instances, it is a case of “he who hesitates is lost”. If you allow a person the chance to attack you, he will. The question then becomes: does teaching non-violent alternatives to conflict put the participants at a greater risk of physical harm? In a setting where violence is expected, what viable “alternatives” do inmates have? In all the interviews, the inmates stated that their alternatives often involved backing down, or reasoning with the other party. In one (fairly inventive) case, the inmate was still a high-ranking member of the 26s gang.<sup>71</sup> His strategy was to pull gang-rank on the other party, which would often work. In his gang, those of lower ranks are not permitted to question the actions of those of higher ranks. Thus, as he was a ‘General’ in the 26s gang, anybody of a lower rank than him would not be permitted to question his decisions. In terms of internal gang disputes, he would often be able to use the gang rules to back up his position.

However, many also stated that using non-violent alternatives could be very difficult.<sup>72</sup> A number mentioned the fact that, in prison, it was difficult to “get away” from the fight, because of being locked up.<sup>73</sup> In other words, you could not simply “walk away”, because often the other party would be in the same cell as you, and could even be sleeping next to you. Thus, although all inmates reported that they were attempting to apply the principles

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<sup>70</sup> Bjorkqvist & Fry (note 33) at 246.

<sup>71</sup> Interview 7 (note 62).

<sup>72</sup> Interview 3 (note 63).

<sup>73</sup> Interview 4 (note 51).

of non-violence, they also all mentioned the difficulties involved in this. The one ex-inmate I interviewed also mentioned some difficulties.<sup>74</sup> Although, since his release, he was now in a position to be able to walk away, he stated that he was still not sure if that would be his first response. He expressed doubts over his ability to control his anger if he was faced with conflict in his community.

When I put the same question to the facilitators (about the dangers of inmates attempting to use non-violence in a violent context) they all mentioned that the workshops taught other conflict resolution skills. When I asked what these were, they all spoke about communication, and better assertiveness. However, in a number of cases, they mentioned some doubts about the effectiveness of these techniques in a context involving restricted movement. One interviewee also mentioned that expecting prison inmates to suddenly begin to use non-violence after a series of workshops was “naïve”.<sup>75</sup> As one facilitator put it, beginning to use non-violence required not just an “idea change, but a lifestyle change”.<sup>76</sup> Thus, the skills taught in AVP workshops are perhaps not sufficient to provide viable alternatives for prison inmates. In one study it was stated that, although inmate responses to the workshops were good, the possible alternatives to violence are limited in prison.<sup>77</sup>

Prison setting aside, what seems to be lacking in these workshops is the teaching of genuine conflict resolution skills. Although personal growth is important, there does need to be some focus on providing skills that allow more options than the age-old “fight or flight” choice. As was pointed out to me in one interview, “Non-violence doesn’t necessarily mean flight.”<sup>78</sup> However, many participants seem to assume that not fighting automatically means backing down. An AVP facilitator said that what was needed in the workshops was more time for the participants to practice alternative conflict resolution strategies.<sup>79</sup>

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<sup>74</sup> Interview 8 (note 57).

<sup>75</sup> Interview 1, Participant, Quaker Peace Centre Offices, 16 August 2005.

<sup>76</sup> Interview 10, Facilitator, Rondebosch, 20 September 2005.

<sup>77</sup> Phillips (note 27).

<sup>78</sup> Interview 10 (note 76).

<sup>79</sup> Interview 9, Facilitator, QPC Offices, 19 September 2005.

The CCR's approach is slightly different. The emphasis in their workshops is more on skills than on personal growth. Personal growth does have its place, but usually takes place at the beginning of a year-long course. The remaining sessions are devoted to learning skills to do with conflict resolution. E.g. Identifying conflict, problem-solving, identifying power relations within the conflict, "emotional intelligence", and mediation skills. As one CCR facilitator informed me, "we see conflict resolution as a set of skills to be learned, not an inherent quality within a person."<sup>80</sup> There is also an emphasis on the fact that conflict itself is not necessarily bad, and can be neutral. It is when conflict becomes violent that it becomes problematic. Thus, I would suggest that an aspect that is missing in AVP is a time to learn some concrete conflict resolution skills.

The idea mentioned above, of needing a "lifestyle change", leads onto another important difficulty associated with these workshops. Many of the respondents laid a large emphasis on the fact that, both in prison and out, their "manhood" rested on being able to show violence. One inmate told a story of how, as a young boy, he had been beaten up and had run home crying.<sup>81</sup> His father's response was to hit him, and tell him to go back out and "be a man". I.e. To go back out and fight. Basically, the message was "In order to be a man, you must be able to fight." This was not a once-off story, but rather was repeated throughout almost all the interviews and during the workshops. It was also noted that this ideology is very strong within the prison context. The main point to be noted is that much of a prisoner's identity in prison is based on their ability to "stand up for yourself".<sup>82</sup> And "standing up for yourself" implies being able to use violence.

Although this points more to a societal problem than to one of the workshops, the question is: what is being given to these men as an alternative form or expression of masculinity? As one inmate stated, learning alternatives to violence required having to "re-evaluate what it is to be a man."<sup>83</sup> The point is that these workshops seem to, in effect, be taking away the only form of masculinity that these men know, but they do not

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<sup>80</sup> Discussion with facilitator, CCR offices, 16 September 2005.

<sup>81</sup> Inmate in AVP Beginner Workshops (note 61).

<sup>82</sup> Ibid.

<sup>83</sup> Miller & Shuford (note 8).

give any alternatives for its replacement. This again goes back to the idea of transplanting a workshop whole from an international source. Although the ideas behind it are good, the implementation is much more difficult. Although none of the inmates specifically raised this as an issue, I did wonder whether it would become one after their release. Once released, they would again be forced to show their family and friends that they are “men”, and most likely will have to go out to be the breadwinner.

This relates to another major issue which arises much more from a societal source. It is well-known that ex-convicts have a difficult time gaining employment after their incarceration. The stigma of being an ex-convict “...adheres to a person more or less permanently, with few known solvents.”<sup>84</sup> Many people are reluctant to hire someone who has spent time in prison, which means that these ex-inmates will struggle more than most people when attempting to find a job. However, many of these inmates in prison still see themselves as the “breadwinner” of their family, and expect to be able to find employment once they are released. Thus, in another way, their “manhood” has been reduced, as they will not easily be able to provide for their families upon release.

There is insufficient space in this paper to provide a detailed discussion of masculinity and its relation to violence in the South African context. However, a brief engagement with the topic is necessary. In a study of masculinities in Mexico, Reysoo<sup>85</sup> stated that, when gender boundaries become blurred, men “...accordingly have to create space and opportunities where they can express their masculinity through what is seen as masculine behaviour: involving sexual risk-taking, or being aggressive and violent.” The first sign of “being a man” is being able to take responsibility for one’s family, and to be able to provide for them financially. If the man cannot do this, then he will be forced to resort to violence. In a study of masculinities in Manenberg<sup>86</sup>, it was found that there are multiple masculinities. However, one of the most salient indicators of masculinity is being able to

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<sup>84</sup> Zehr (note 21) at 69.

<sup>85</sup> F Reysoo ‘Social construction of masculinity in Mexico’ in D Gibson & A Hardon (eds) *Rethinking Masculinities, violence and AIDS* (Het Spinhuis: Amsterdam, 2005) p.11.

<sup>86</sup> H Sauls ‘Some notions of masculinity in Manenberg, Cape Town – The gangster and the respectable male’ in D Gibson & A Hardon (eds) *Rethinking Masculinities, violence and AIDS* (Het Spinhuis: Amsterdam, 2005).

provide for one's family financially. Another relates to sexual prowess. Men are under pressure to conform to these "manhoods", whether or not they prefer to act in this way. And, as stated by Salo "...in the context of the township, where men have limited access to the key resources that define a dominant heterosexual masculine identity, and male youth even less so, gang members use physical violence as an alternative means to assert their claim to heterosexual masculinity and to personhood in the local context."<sup>87</sup>

The difficulties arising here are apparent. The South African context generally, and prison more specifically, remove the possibility for men to be able to provide for their families, and therefore remove an essential component of their manhood. Because of this, these men are then forced to "prove" their manhood in other ways, and these are usually violent, or related to sex. The difficulty of attempting to teach these men non-violence is that it is effectively taking away the last form of manhood that is recognised by their communities. If they cannot provide for their families, and they cannot use violence, then their "emasculatation" is effectively completed. Alternative forms of masculinity need to be provided, or discussed, in order to provide viable options for these men. Although they are often committed to the principles of non-violence, and are willing to attempt lawful employment, this will be difficult for many inmates, considering their ex-offender status.

Although this is a societal problem, it does raise two interesting shortcomings within the workshops. Firstly, what is clearly needed is more time spent discussing what the conditions will be like for these inmates on release. What many of the inmates do not seem to realise is that an AVP certificate alone will not guarantee them a job. They complete their courses, and because of this feel that their life will automatically change because they have changed. Although it is tempting to fall into this trap (becoming the stereotype of the "reformed prisoner" who makes good), it is misleading on the part of the facilitators to allow this perception to continue. Time does need to be spent discussing the realities of what will face these inmates once they are released.

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<sup>87</sup> E Salo *Mans is ma soe: Ideologies of masculinity, gender and generational relations, and ganging practices in Manenberg, South African* as quoted in Sauls (note 86).

A second shortcoming is that, even when the facilitators do spend time discussing the post-release phase (as happened in the QPC workshops), there does not seem to be enough emphasis on the fact that AVP skills are not enough to secure employment. Many of the inmates believe that the skills they have learned in AVP (e.g. Communication, being a better listener, better impulse control) will be enough to get them employment. They do not feel the need to learn job-skills (and for those in maximum security, this is often not an option).

Thus, my suggestion would be that, for those involved in the Advanced and Trainer level courses of AVP, job-skill courses should be an added requirement. As one facilitator noted, “AVP alone is not enough.”<sup>88</sup> In many prisons, job-skills courses are available. One inmate in Pollsmoor told me that he had finished matric, obtained a drivers licence, and a sound engineering degree, and had qualified as a tailor, all while incarcerated.<sup>89</sup> However, many inmates do not become involved in these. Some inmates leave prison after 15 years and are still illiterate.<sup>90</sup> I was also informed in one Brandvlei interview that job-skills were not offered to those in the maximum security section, because they are not allowed to work with tools for security reasons.<sup>91</sup> This issue does need to be addressed. This is probably not something that any particular group would easily be able to run on their own. Perhaps partnerships need to be developed to allow these job-skills to be taught to those involved in AVP courses.

What is important to be noted is that this can be done. Khulisa’s “Discovery” programme involves a number of sessions of job-skills. Khulisa also has agreements with a number of businesses, who have pledged to hire inmates upon release, provided that they have been through the Discovery programme. This gives much needed opportunities to ex-inmates who have proved that they are committed to personal rehabilitation. This, however, raises some further issues. Can one justify putting so much time, effort and

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<sup>88</sup> Interview 10 (note 76).

<sup>89</sup> Interview 7 (note 62).

<sup>90</sup> Inmate in AVP Beginner workshop (note 61).

<sup>91</sup> Interview 3 (note 63).

money into ex-offenders, and not also putting some of it into non-offenders? I will return to this issue shortly.

### 6.5 Restorative justice

Another issue which needs to be discussed is that of restorative justice. As Howard Zehr stated<sup>92</sup>, inmate workshops do not officially qualify as RJ, because they do not involve the victim or the community, which is an essential component. However, they can involve some aspects of RJ. These would include the offender taking responsibility for their action, and coming to some awareness of the effects of their actions on the victims. Another possible aspect would be to bring in the offender's family members, in an effort to start at least some form of restitution. This would need to happen for two reasons: (i) to acknowledge the hurt caused to the family by the offender's crime; and (ii) to acknowledge any hurt caused to the offender by his family (e.g. Physical or sexual abuse).

In the AVP workshop, and in the interviews I conducted, I could find little evidence of any of this happening. The QPC sessions did involve some time spent discussing the victims of crime, and possible repercussions for them, but this was not looked at in any detail. The Phaphama workshops do not involve this unless it is suggested by one of the participants himself. What struck me very strongly, however, was that almost none of the past participants seemed to show any signs of having taken responsibility for their actions. One inmate did express this very vividly during the workshop, stating quite simply "I stabbed him, and it was me who killed him. That means I am guilty."<sup>93</sup> He was the only one to do so.

All of the other participants had any number of reasons, excuses and justifications for their actions. One claimed that, during Apartheid, it had been OK to rob white people

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<sup>92</sup> Zehr (note 20).

<sup>93</sup> Inmate in AVP Beginner workshops (note 61).



because they were the oppressors.<sup>94</sup> A number of others claimed self-defence.<sup>95</sup> One was able to concede that, although he had taken the fall for another in his trial, he had committed other crimes in his past which deserved punishment.<sup>96</sup> The point I am emphasising is that none of these men has even begun to take responsibility for the crime he committed.

Officially, AVP does not include RJ as one of its aims. However, I would suggest that it would be worthwhile to begin to include some RJ aspects into their workshops, and to further explore the possibilities of expanding on an RJ approach. One cannot expect a person to internalise alternatives to violence when they cannot accept responsibility for their own violent actions. It is also short-sighted to expect the families of the past offenders to accept them back without some form of restitution on both sides. This goes back to another societal problem: that of the stigma attached to ex-inmates, and of the difficulties they face in trying to return to their families and communities.

#### 6.6 Institution-related difficulties

I have raised a number of issues which are more problems related to society than problems related to the workshops. I will return to these for a brief discussion later, but unfortunately there is insufficient space for a detailed look at all of these. I am confined to workshop-related issues in this paper. However, I do also need to mention some institution-related issues, which have a serious impact on the workshops and will need to be addressed.

A first issue which arises in the South African prison context is that of the prison gangs. The prison gangs in South Africa are powerful, and dominate large amounts of what goes on in the prisons. Some interviewees even mentioned that, without gang approval, the workshops would not be able to be run.<sup>97</sup> The gangs in prison are said to be based heavily

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<sup>94</sup> Interview 8 (note 57).

<sup>95</sup> Inmate in AVP Beginner workshop (note 61).

<sup>96</sup> Interview 7 (note 62).

<sup>97</sup> Interview 8 (note 57).

on violence, and this was backed up by at least one gang-member I interviewed.<sup>98</sup> Many of their rituals revolve around violence, and often include stabbings and killings. (For a deeper discussion of this, see Jonny Steinberg's book "The Number"<sup>99</sup>). As one inmate told me "...in the prison is also Numbers, all of that thing, intervening, cuz this is a thing they don't want you to do actually...AVP. Because the Numbers have got *mos* their own views."<sup>100</sup> The question is therefore: how do alternatives to violence workshops fit into prisons controlled by violent gangs?

In the case of the QPC workshops, the participants were all moved into one cell in the medium security ward. Although the reasons for this are not entirely clear, a number of the participants suggested it had to do with their safety. Although I cannot verify the truth of this, one of the interviewees stated that the reason for Chris Malgas' transferal was also gang-related.<sup>101</sup> According to this interviewee, some gang members organised a violence campaign, and there were some stabbings within the maximum section. He also suggested that the fires that killed two inmates were started by gang members.

All of the interviewees mentioned that the possibility for clashes with gang-members was a serious issue. Most of the inmates stated that they simply did not get in the gang's way, and did not interfere in gang violence. Even the one participant who was a 26s gang member stated that he no longer believed in the gang's philosophy. Some inmates mentioned that there had been gang members in some of the AVP courses, and that they had enjoyed the courses and learned from them. Others, however, stated that gang members would often put their names down for courses, so as to be moved to different cells, and then would not arrive for the workshops on the day. I was also told of an inmate who had completed all three levels of the AVP workshops, but was then banned from working as a facilitator by his gang.<sup>102</sup>

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<sup>98</sup> Interview 7 (note 62).

<sup>99</sup> J Steinberg *The Number* (Jonathan Ball publishers: Johannesburg, 2004).

<sup>100</sup> Interview 3 (note 63).

<sup>101</sup> Interview 7 (note 62).

<sup>102</sup> Interview 10 (note 76).

Many of the interviewees, both participant and facilitator, expressed a hope that gang members would begin to come to the AVP workshops, and would learn something about alternatives to violence. However, every inmate mentioned the gangs as something that made practicing AVP in prisons more difficult. There was also a lot of skepticism expressed regarding whether any gang members would be allowed to leave the gangs if they did accept non-violence as an alternative. It is generally rumoured that the only way out of the gangs is to be killed.<sup>103</sup> In any event, it is something which needs to be taken into consideration when planning and conducting the workshops. It is also, for the moment, something which many of the participants are going to have to find a way to work around.

The second main institution-related issue involves the prison warders. Although in some cases the warders in a particular section encouraged and supported the inmates in the workshops, the majority of the time this was not the case. It must be pointed out here that the following comments are not true of every warder. There are warders in every prison who are truly committed to the rehabilitation process, and who honestly believe in the promise of the individuals under their supervision. These are not the warders I am referring to.

In general it seems that many of the warders are not committed much to rehabilitation. There were reports of warders forgetting to release all the required participants from their cells for the workshops. Facilitators often waited for extended periods of time for gates to be unlocked<sup>104</sup>, or for venues to be free, or for the warder in charge to be located. Workshops often did not start on time, or were not in the assigned venue (one workshop had to be held in the courtyard<sup>105</sup>), or did not have all the participants.

It is an unfortunate fact that one cannot organise workshops involving outside facilitators, without some co-operation from the warders. As a number of the inmates said, they do not have the keys, and therefore need the warders to unlock their cells to allow them to

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<sup>103</sup> Interview 8 (note 57).

<sup>104</sup> Interview 1 (note 75).

<sup>105</sup> Interview 10 (note 76).

attend, or run, workshops.<sup>106</sup> A number of the external facilitators mentioned that, in many cases, part of the issue had to do with hierarchy. Getting approval from the head of the prison is possible. However, this approval often does not filter down well to the lower levels of control. Thus, the approval might not be communicated to the head of the section, or to the warders running the section. On the other hand, permission is sometimes obtained from the heads of section, or from warders working in a particular section. These warders often do not have the required authority to authorise these workshops, and the necessary arrangements are therefore not made. Both of these scenarios cause complications for workshops.

These difficulties are lessened somewhat when an organisation has inmate-facilitators. Phaphama has been running workshops for long enough to have a group of inmate-facilitators who can help with the organisation. This does make the process easier, as there is someone inside who can help organise venues and participants, and can ensure that things run more smoothly. However, this does not solve all the problems. On the first day of the workshop I attended, a number of the participants did not arrive at 9am as was expected. The reason for this was that they had been sent to a different part of the prison to do work. The inmate-facilitator had only been given the list of participants on the day that the workshop was due to start. This meant that he could not inform the warders which inmates were needed for the workshop. Something as simple as this causes large disruptions within a workshop, and can affect how much the participants gain from the workshop itself.

Unfortunately, this lack of co-operation and commitment is not specific to any prison or to any prison warder. It seems to be the case throughout most of the DCS. Although efforts have been made to change the DCS policy from one of punishment to one of rehabilitation (e.g. *The White Paper on Corrections*<sup>107</sup>), this does not seem to be translating into actual changes in behaviour. Many of the warders are not trained in rehabilitation techniques.

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<sup>106</sup> Brandvlei prison interviews (note 64).

<sup>107</sup> DCS *White Paper on Corrections* 2005 (note 1).

As a positive point, the CCR's conflict resolution workshops are mainly aimed at warders in the DCS. Part of the reasoning is that, with so many groups running workshops for inmates, there seems to be a relative neglect of the warders. The warders need conflict resolution training as much as the inmates, and this is especially true in areas where incidents of warder-on-inmate abuse are high. Thus, at least one group has begun to focus on the warders, and hopefully this will allow them to become more co-operative in the future.

A case does need to be put forward for some of the warders' attitudes. What needs to be kept in mind is that there are a lot of groups attempting to do work in prison. QPC, Phaphama, Khulisa, and the CCR are but a few. Not all of these groups are successful in their interventions, and not all of their efforts are sustainable. Despite their good intentions, the outcome of this is that a large number of prisoners are involved in workshops for a short, intense period of time, and are then effectively "abandoned". Although the positive effects of many of these workshops cannot be denied, the effects of the subsequent abandonments also cannot be ignored. Many of the workshops give the inmates hope of a second chance at life. When the workshops are discontinued, this hope is often discontinued along with it. Odd as it may seem, the warders are the ones who then have to deal with this eventual abandonment. Thus, one can possibly understand some of their resistance to yet another group promising to do good, when the unfortunate truth is that the good will probably only be temporary. Although this is not an excuse for the warders' lack of co-operation, I am suggesting that this may have something to do with it.

Another institutional issue which impacts on the workshops is that of parole applications. As mentioned at the beginning of this section, participants in the Beginner workshop receive certificates of completion, and letters of recommendation from the external facilitator on completion of the workshops. These certificates and letters are well-received by the parole board. In fact, in many cases, the participants were referred to the workshops by a prison social worker. This will often happen in the case of an inmate whose parole application is to be heard soon, but who has not participated in many other

workshops during his incarceration.<sup>108</sup> Most of the referred inmates are those who were incarcerated for violent offences.

This is not necessarily a problem within itself. However, one of the founding principles behind AVP is that the workshops are meant to be entirely voluntary. No participant is to be forced to attend. The idea behind this is that rehabilitation is more likely with those who chose to be there, than with those who were forced. Although none of the inmates in these workshops were forced to be there, it was not necessarily an option they could easily turn down. When faced with a parole application, almost any inmate would take action which could improve his chances of being approved. This raises the question of how voluntary the inmate's involvement actually is.

A number of the inmates in the workshop I attended were there for specifically that reason: parole applications were coming up, and they had not been involved in other workshops during their incarceration. Although attending the workshops probably had some benefit for them, it was obvious which of the participants were committed to rehabilitation and which were not. The problem is this: those who are not committed to the workshops are less likely to respect the boundaries and agreements of the workshops. This lessens the "safeness" of the AVP space, and can therefore lessen the benefits for all those attending.

It is difficult to arrive at a solution in this case. My suggestion would be that, although one cannot completely exclude those who have been referred by the social workers, perhaps it would be better to limit the number of them to maybe two per workshop. That way, more of the participants will be able to derive more benefit from the workshops, and this can only be a positive.

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<sup>108</sup> Interview 10 (note 76).

## 6.7 Societal difficulties

I will now turn to a brief discussion of the societal problems which influence the workshops themselves. As I mentioned above, many inmates will battle to find employment once released. Even if they do receive job-skills training, they will often find it difficult to convince others that they have changed their ways. This often leaves them with very few legal options for money-making, and the obvious alternatives are illegal. If they are also expected to support a family, this can easily be an incentive to turn back to crime. One AVP facilitator informed me that it is against government policy to hire any ex-inmates into the public sector.<sup>109</sup> This means that the State expects the private sector to provide jobs for all ex-inmates. With up to 40% unemployment rates nationally, it seems unlikely that there are even enough jobs for all the ex-inmates, were they able to get them. Thus, what is effectively happening is that inmates are released, supposedly “rehabilitated”, and are then given no options but to return to crime.

There are a number of other factors which will also encourage this process. Firstly, it needs to be kept in mind that inmates will most likely be released back into the communities that they came from. In other words, they will be released back into the communities that helped turn them into criminals in the first place. If their families were abusive before their incarceration, then their families will still be abusive upon their release. If their friends were involved in crime, then they will still be involved in crime. And if the inmates were involved in gangs prior to their incarceration, then they will still be involved in those gangs after their release. This means that these ex-inmates will need to effectively cut themselves off from all the “bad influences”, which could include all their friends and family.

In my interview with the ex-inmate<sup>110</sup>, he stated that one thing that had made remaining lawful incredibly difficult, was seeing all his friends driving expensive cars. He knew that his old friends had bought these cars with money gained illegally, and he also knew that

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<sup>109</sup> Interview 10 (note 76).

<sup>110</sup> Interview 8 (note 57).

he was unlikely to be able to make as much money in a legal manner. Thus, returning to crime was an attractive option. One inmate also mentioned concerns regarding his safety upon release.<sup>111</sup> There had been a “hit” upon his life when he was jailed, and he had been informed that this was still in place. A number of others mentioned issues of safety, with the main worry being revenge crimes. For them, the only possibility is to “kill before you are killed”. Thus, there are very limited circumstances under which one can remain lawful.

With regards to returning to their communities, there are added difficulties beyond those of remaining lawful. Many families and communities remain angry and hurt over the crime. This is especially true when the victim and offender come from the same community. Thus, there is often some resistance from the community. Many of the inmates I interviewed expressed concerns over how their community would react to them upon their release. Many were worried that their families and communities would not believe that they had been rehabilitated, and would therefore expect them to return to their life of crime.<sup>112</sup> What came through strongly is that all of the inmates realised how hard it would be to rid themselves of their “*tronkvoel*” status.<sup>113</sup>

On the other hand, an ex-inmate informed me that, even though he tried hard to prove that he had changed, many people did not want him to change.<sup>114</sup> There was pressure from his community, and especially from his old friends, to remain as he had been prior to his incarceration. His family had also been relatively unsupportive. In his case, there was an added difficulty: he had been assisted by the facilitators of his workshop to obtain opportunities for opening his own business. Although it has been stressed numerous times in this paper that this kind of assistance is needed, what also needs to be looked at is the fact that many law-abiding people within this community are not given this

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<sup>111</sup> Inmate in AVP Beginner workshop (note 61).

<sup>112</sup> Interview 3 (note 63).

<sup>113</sup> Interview 5, Inmate, Brandvlei, 13 September 2005.

<sup>114</sup> Interview 8 (note 57).



assistance. It raises an old question: how does one justify "...channeling resources to offender-support..."<sup>115</sup> when many non-offenders live in complete poverty.

One of the facilitators from the QPC mentioned some concerns regarding the organisation being perceived as only helping offenders.<sup>116</sup> In order to gain community support, the organisation needed to be seen to be helping the community as well as the offenders. However, these organisations alone cannot improve the lot of the community. This is something that the State needs to tackle, but is also something unlikely to be improved in the near future.

A final point that needs to be mentioned again relates to the high levels of poverty within South Africa. The sad fact is that, in many cases, prison is a preferable alternative to living on the streets. For many people, prison is not as bad as their life outside. In prison they are given a roof over their head, a bed, three meals a day, and clothing. They do not need to worry about earning their own money, and do not need to worry about starvation or freezing to death in winter. This means that, when faced with release and the prospect of not being able to afford food or shelter, many will choose to remain in prison. This could go a long way to explaining why recidivism levels in South Africa are so high.

## 6.8 Conclusion

All of these issues together mean that the task facing those implementing conflict resolution workshops is almost insurmountable. They have to attempt to do the best that they can in the face of the enormous odds against them, and in the face of a fairly unsupportive DCS, and government in general. Thus, many of the shortcomings of these workshops have much more to do with the socio-economic problems existing in the country today, than with any problems on the part of the NGOs. These workshops also do manage to do some good in this difficult setting, and for that they do need to be commended. However, I would suggest that they are failing in a number of their key

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<sup>115</sup> Eliasov (note 16) at 10.

<sup>116</sup> Interview 2, Facilitator, QPC offices, 17 August 2005.

objectives, and that the implementation of these workshops does need to be addressed. The specifically South African context in which these workshops are to be run is a major factor, and cannot be ignored.

Also, the lack of concrete conflict resolution skills is a major shortcoming, especially in the dangerous environment of prisons. One cannot simply advocate “communication”, and leave it at that. Actual skills, and time to practise the use of these skills, must be an essential part of the workshops. The issue of masculinity is also important and needs to be reconsidered. Alternatives to violence will not work unless one can also suggest new forms of masculinity which these men can rely on. Otherwise the workshops are effectively emasculating them, lessening their chances of being able to remain non-violent after their release. Although these organisations cannot be expected to magically change the difficult circumstances that the offenders will face on release, they also cannot ignore this in the workshops. Time needs to be set aside to recognise and discuss the difficulties and realities, otherwise one is again merely setting up these men for failure. Job-skills need to become an essential part of the AVP workshops, in order to give these men the best chance possible at lawful employment. Finally, restorative justice does need to be incorporated into the workshops, even if only in the form of victim recognition, and the acceptance of responsibility for their actions.

The institutional and socio-economic problems do need to be addressed, but these are not the responsibility of single NGOs. There needs to be partnerships among all sectors and groups of society, and government needs to fully come on board. However, all of this is for another research paper.

## **7. CRITICAL ASESMENT OF PROJECT EFFECTIVENESS**

This section of the research paper relates directly to the AVP intervention organised by the Quaker Peace Centre to be run in the maximum security section of Pollsmoor prison. The comments in the previous section relating to AVP workshops in general apply here. I have also already outlined the general history of the QPC intervention, and it is therefore not necessary to repeat this.

### **7.1 Organisation**

There are two main areas which need to be discussed in this section: (i) organisation, and (ii) sustainability. As mentioned in the Background section, the access negotiated for the QPC was fairly stable as long as Mr. Malgas was the head of the maximum security section. Because of his involvement in and dedication to the project, he ensured that the access ran smoothly, and that all the participants were released from their cells on time. This was aided by the fact that Mr. Malgas was able to organise for all the participants to sleep in the same cell, which was in a medium security section of the prison.

However, once Mr. Malgas was transferred, the organisation broke down somewhat. Access was delayed on numerous occasions, and sometimes even flat-out denied. The participants were moved back to the maximum security section, and they were often late for the workshops because of warders not unlocking the cells on time.

The effect of these numerous delays, and of the transferal of Mr. Malgas, was apparent. One of the facilitators I interviewed noted that, in the first session after Mr. Malgas's transferal, the mood in the workshop changed somewhat.<sup>117</sup> The mood was much more tense, and a number of the participants seemed angry. Many of them had established a good relationship with Mr. Malgas, and his transferal was disheartening for them. It reinforced the view that the prison did not care about their rehabilitation, and the constant delays implied that the other warders did not respect them.

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<sup>117</sup> Interview 2 (note 116).

Most of this is not due to any fault on the part of the QPC. They could not have foreseen that Mr. Malgas would be transferred, nor that the remaining warders would be so unco-operative. However, their organisation could have been more thorough. After Mr. Malgas left, the QPC failed to re-negotiate access with the new section head. They merely assumed the access agreement would remain. The fact that the original access agreement was not negotiated with the prison head, but rather with a section head, is also telling. The point is that access is not a constant, to be taken for granted. The access agreements do need to be constantly updated with the prison staff. This process would also ensure that the prison staff remained aware of the NGO's presence, and of the NGO's commitment to the task at hand.

The facilitators and the participants all seem aware of the fact that, in future, all the access negotiations will first need to be done with the heads of the respective prisons. Although the co-operation of the warders at a section level is imperative, the authority needs to come from higher up first. It will also be helpful to then establish contact with the section head, and with the section warders prior to starting the workshops. In this contact, it is suggested that the objectives and methods of the workshop are set out, so that the warders have some information regarding the running of the workshop. Although obviously the prisoners are the main focus of this intervention, it cannot be ignored that no workshop can be run without assistance from the warders in the prison. This is a time-consuming process. However, considering the difficulties that the QPC has had in the past, it is not a process which can be by-passed.

On this note, it should be pointed out that this organisation can become easier once the inmate-participants become trainers themselves. Because they are inside the prison, they have a better idea of how all the technicalities can be arranged. They can also ensure that the minor factors - like the venue, or chairs for the participants - are available on time. As I noticed during the Phaphama workshops, the more organisation that the inmate-facilitators can take over, the easier it will be to run the workshops. In the QPC's case, they have a number of very keen and willing inmates, who are eager to begin these workshops in their new prison. Although they are aware that they cannot organise it

entirely on their own, they are willing to try and take on as much responsibility as possible.

The organisation and logistics of the workshops therefore need to be worked out more carefully in advance, to ensure that the workshops are able to run more smoothly, without significant delays.

## 7.2 Sustainability

The next major issue is that of sustainability. The QPC ran one series of workshops. It involved thirteen inmates from start to finish, and was fairly intensive (all participants completing all three levels of the training in a month and a half). However, since then there has been very little follow-up. The participants remaining in Pollsmoor were brought together for a mini-evaluation near the beginning of 2005. The participants in Brandvlei were not contacted until mid-July (and in this case, the QPC was contacted by the inmates, rather than the other way around). One participant has been released. As for the remaining five participants, no one is entirely sure where they are.

I have already mentioned the effect that short-term, intensive interventions may have on the inmates. Although this will not always be true, in many cases it will leave the inmates feeling abandoned and disheartened. The inmates I interviewed all mentioned that the separation from each other, and the long period without contact from the QPC, made it difficult to maintain their determination. In some ways, this intervention fulfilled some of the concerns that the warders have about NGOs. Although the intentions are good, the lasting effects can be negative.

The QPC has now promised the inmates that a new series of workshops will begin to be run in Brandvlei prison. Although there is no reason to doubt that the intention is good, the issue of sustainability is again of central importance. Because of funding and personnel shortages, the QPC does not have the resources that it used to have. It has therefore been forced to choose which of its many projects will continue to be run, and which will be discontinued. I am not aware of how much funding the QPC has available for projects of this nature, or of how constant this funding will be. However, I would

suggest that, now that there has been a commitment made by the QPC to run these workshops, it should be honoured fully. I would caution against the QPC again becoming involved for only a short period of time. The effects of this will probably not be positive, and will most likely only increase the sense of abandonment that many of these men already experience. It also needs to be pointed out that many of these men see the QPC as one of only a small number of groups who are willing to take inmates seriously. If the QPC again falls short of their promises, for whatever reasons, this belief will begin to be eroded.

The difficulty in many instances is the lack of support and co-operation from both the DCS and the government. In effect, many NGOs are doing the DCS's work for them, by attempting rehabilitation with the inmates of correctional facilities. However, their work is often not respected, and this makes their task even more difficult. The commitment from government and from the DCS is seriously lacking, and this is something which needs to be addressed at a State level. The issue of funding is also a complex one, as funding is seldom guaranteed for any length of time. Perhaps a possibility here is the pooling of resources between NGOs. As an example, the QPC stated that, even though they had personnel difficulties, they generally had sufficient funding for their workshops. Phaphama, on the other hand, did not have sufficient funding, but had sufficient personnel. Perhaps the two groups could join their efforts, in order to ensure the AVP workshops' sustainability.

I also need to point out that running these workshops in Brandvlei prison will have added difficulties that did not exist at Pollsmoor. Brandvlei prison is over an hour's drive from Cape Town. Two of the facilitators have already expressed concerns to me about the viability of driving out to Brandvlei everyday for a three-day workshop, or of finding accommodation near to the prison for the facilitators. Although the inmates at Brandvlei are fully convinced of their ability to do the bulk of the work and organisation, I would suggest that there will need to be some substantial QPC presence for at least the first few sets of workshops. This will be to ensure that the prison officials take the workshops seriously, and that the sessions are not cancelled at short notice. Thus, the organisation

and costs involved in running workshops in Brandvlei prison need to be carefully thought through first.

Another point regarding sustainability relates to those participants who are not in Brandvlei prison. For those remaining in Pollsmoor prison, and for the un-located remainder, there is currently no promise of continuation whatsoever. The prisoners in Pollsmoor have already had one mini-evaluation, and one of them has now been interviewed by me as well. All of this would surely imply to them that these workshops are something which may well be continued in the future? However, as far as I am aware, there are no plans to restart the workshops in Pollsmoor prison. As for the five participants who have not been located, their “abandonment” is in some senses complete. They have not been contacted by, nor been in contact with, the QPC.

Every single facilitator emphasised to me the importance of follow-up, reinforcement and practise in the AVP process. For a number of the participants, none of this has taken place, and is unlikely to in the near future. Thus, one must question the lasting effect that these workshops will have on these men in the long run. Considering the difficulty of their context, I would suggest that follow-up and support would be one of the most important factors. It does need to be kept in mind that the lack of co-operation and support from the DCS increases the difficulties involved for the NGOs. The transferal of the prisoners out of Pollsmoor was against an explicit request from the QPC. Thus, the break in the continuity of the workshops was perhaps out of their hands. However, the task of attempting to locate the transferred prisoners did not seem to be a priority for the QPC. The inmates in Brandvlei contacted the QPC, and this only occurred in July of 2005. Therefore, even though the transferals were not due to any fault on the part of the QPC, the lack of effort in locating transferred prisoners was problematic.

A final point regarding sustainability which I would like to raise is that of the future possible employment of these past participants by the QPC. More than one of the inmates expressed a belief that, should his first choice of employment fall through, he will be able to go to the QPC and will immediately find employment. The QPC therefore needs to decide in advance whether or not this will happen, and then make this decision clear to

the participants. If the QPC has given the impression that they will provide employment, they cannot then refuse employment to all the past participants who request it.

### 7.3 Gender considerations

A final point relates to the gender of the facilitators. Although in theory the facilitators could be both male and female, the effect on female facilitators needs to be considered. In the case of the QPC workshops, there was one female facilitator. Although she states that the workshop as a whole was a positive experience, she still has a number of the participants attempting to contact her through letters and phone-calls. She does not respond to these. The male facilitators, however, do not receive these letters and phone-calls. Although these are perhaps not a substantial invasion of her privacy, it must be noted that they can be seen as unsettling, and are un-called for.

Again, this is not necessarily due to any major fault on the part of the QPC, but it does need to be taken into account. If female facilitators are going to be used, then the boundaries need to be set out clearly during the workshops. It needs to be stated that letters and phone-calls to the female facilitators are not welcome, unless she specifically states otherwise. The training of the female facilitators also needs to include some acknowledgement of the possibility that they may receive some unwelcome attention from male inmates. The workshops I have been discussing have all been run with male participants. Thus, the use of female facilitators needs to be well thought through. There also needs to be the option of de-briefing for female facilitators.

### 7.4 Conclusion

Thus, the major shortcoming of the QPC intervention was its brief nature, and lack of follow-up. Although many external factors played a part in this, there needs to be careful consideration of the possible commitment and sustainability if these workshops are to be re-started. This is especially true when planning a workshop in Brandvlei prison, which poses extra costs due to the traveling distance (and because of the toll-gates on the N1). The logistics need to be negotiated with the prison head, and then the section heads and warders need to be informed of the situation. This will hopefully make the process of



access slightly smoother. I would also suggest that a more empathic stance be taken with regard to female facilitators. Clear limits to contact need to be established and communicated to the participants. Finally, the issue of employment of ex-participants also needs to be addressed. Again, the decisions need to be communicated to the participants so that they will be aware of where they stand.

The available evidence suggests that these workshops hold potential for improving the quality of life of some of the inmates. However, if not handled carefully, they can also do some damage. Because of the difficulties involved in sustainability and organisation, the QPC needs to consider how long they can maintain this intervention, and at what level of intensity. It is no good promising workshops, and then only running one a year. It is the follow-up and support that will make these workshops most effective. I would also suggest that the QPC consider the need for drawing best practices from elsewhere and applying them in a more critical fashion to the local context. The local South African context needs to be taken into account when planning these workshops, and some changes do need to be made. It also needs to be kept in mind that, although many of the difficulties were not due to fault on the part of QPC, these difficulties were not unforeseeable considering the context within which the workshops were being run.

## **8. CONCLUSION**

In this paper, I have looked at a number of difficulties facing those who aim to implement conflict resolution workshops in South African prisons. Many of the difficulties are related to the contexts within which the workshops find themselves, in other words, the specifically South African, and specifically prison context. However, I have also argued that the workshops themselves have a number of shortcomings that need to be addressed. These relate to the methods used to achieve the stated objectives of the workshops, and the need for placing the workshops more explicitly within the local context.

Despite all these challenges and shortcomings, it would appear that these conflict resolution workshops can have a very positive effect on the participants who partake in them. The responses I received in my interviews show this clearly. Many of the respondents spoke of increased control over their anger, about gains in self-esteem and self-worth, about re-connecting with their families, and about giving themselves options for their future once released from prison. It cannot be ignored that the personal gains are profound. Thus, if run properly and with full support from the DCS and government, the workshops can become even more effective and successful.

What also needs to be noted is that, whatever the shortcomings of NGO interventions may be, these groups are often the only ones that are willing to do any work with inmates at all. Society does not welcome offenders, and seems to prefer that inmates are kept out of sight and mind. However, alongside this there is a belief that these inmates will somehow miraculously emerge from the harsh prison environment as “better people”. These NGOs need to be applauded for actually attempting to help inmates achieve rehabilitation at all, and for being slightly more realistic in their expectations of these ex-offenders.

There are a number of issues which the NGOs alone can do little about, and this points to a need for an inter-sectoral approach to rehabilitation, which will have to include the DCS, NGOs, government, and the public at large. Until this is achieved, the workshops need to be adapted more forcefully to the situation within which they are situated.

There is a need for cautioning against simply coming into a prison with good intentions but without careful forethought and planning. Sustainability is an important part of any workshop, and especially so when looking at conflict resolution. Follow-up, practise and support are all vital aspects of the process, and without them there can be little chance of success in the medium and longer term. Thus, if a project is not going to be able to be run in four months time due to a lack of funding, then perhaps there are better means to go about helping those in prison. Also, this discussion has focused on the damaging effect that short-term, intensive series of workshops can have. Although it will not necessarily be the case, the lack of sustainability can lead to feelings of abandonment among those involved within the prison, and this is likely to have negative effects on their rehabilitation.

What also needs to be kept in mind is that prisoners are not the only ones affected by crime and violence. Their victims and the community also need to be involved, and there have been increasing calls for workshops which focus on those affected by the crime, and not only on the perpetrator. The possibilities of workshops within communities to attempt to divert children before they get involved in crime also need to be considered. The criminal justice process cannot focus on offenders alone if it hopes to make any improvement on the condition in South Africa today. Unfortunately, there is currently simply not enough funding to even run sustainable prison workshops, let alone sustainable community workshops.

There also needs to be recognition that the criminal justice system alone cannot deal with the difficult task of rehabilitation of offenders. It needs the help of all sectors of society. It is tempting to think that, considering the harshness of the situation facing prisoners today, and considering the huge problems in society, any intervention doing any good must be worthwhile. However, I would suggest that, unless the workshops actually achieve their stated aims and are implemented with the South African context firmly kept in mind, they will only ever have small-scale effects, and may not even affect those who take part in them. However, I would also recommend that more research be put into how to make these workshops more sustainable, and more effective. This will enable future interventions to be more positive and long-lasting in their effect.

## **APPENDIX 1: Participant interview schedule**

AVP in general: \*How you found the workshops?

\*What was learnt?

\*Helpful?

AVP in prisons: \*Easy (and compared to outside)?

\*Once outside – keeping away from violence

- difficulties in violent communities

Families: \*How will they accept?

\*How will community react?

\*How to show change from workshops?

\*Possibility of families joining in workshops?

Other prison difficulties: \*Gangs?

\*Other inmates

\*Warders

Difficulties in organising workshops: \*As inmates

\*As outsiders

Impact of separation and transfers? – If left behind, or if transferred?

\*Lack of contact from QPC?

Suggestions for next workshops?

## **APPENDIX 2: Facilitator interview schedule**

Attraction of workshops for inmates?

- \*What has most important effect?

- \*Focus on personal growth over conflict resolution?

Difficulties of putting into practice in prison: \*Violent setting

- \*Gangs

- \*Warders

- \*Lack of movement

- \*Discrepancy between what discussed in workshops, and what actually practiced in cells?

Difficulties once released? \*Avoiding violence

- \*Making contact with friends/family/community

- \*Job opportunities?

- \*Restorative justice aspects?

Masculinities relating to violence?

Impact of religion?

Difficulties of implementing workshops in prisons?

- \*Warders

- \*Transfers

- \*Prison politics

- \*Parole hopefuls

Conflict resolution as part of bigger picture?

Suggestions for future workshops?

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